

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.5032 of 2018

P.Chelladurai (Senior Citizen).....Petitioner

.. Vs ..

1. The Secretary to Government of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Municipal Administration and Water
Supply Department,
Chepauk, Chennai - 600 005.
3. The Director,
Directorate of Local Fund Audit,
Integrated Complex for Finance Department,
4th Floor, Nandanam,
Saidapet,
Chennai - 600 035.
4. The Commissioner,
Mettur Municipality,
Mettur Dam, Salem District. ..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to grant Family Pension and other monetary and death benefits of the petitioner's wife Smt.Kannammal, to the petitioner, pursuant to the recommendation of the fourth respondent in his Letter No.Na.Ka.No.2802/2017/F1, dated 05.09.2017.

For Petitioner : Mr.S.Periasamy

For RR-1 to 3 : Mr.R.S.Selvam,
Government Advocate

For R-4 : Mr.V.Jayaprakash Narayanan,
Special Government Pleader
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ORDER

The present writ petition has been filed praying for the issuance of a Writ of Mandamus directing the respondents to grant Family Pension and other monetary and death benefits of the petitioner's wife Smt.Kannammal, to the petitioner, pursuant to the recommendation of the fourth respondent in his Letter Na.Ka.No.2802/2017/F1, dated 05.09.2017.

2. The petitioner, who is a senior citizen aged about 68 years husband of late Smt.Kannammal, who worked as a Sanitary Worker in the fourth respondent/Mettur Municipality, Salem District and died on 09.06.2017, seeking Family Pension has come to this Court, since his representation dated 31.07.2017 has failed to evoke any response.

3. Learned counsel appearing for the petitioner submitted that after the petitioner's wife passed away on 09.06.2017, the petitioner being the only legal heir entitled to get the monetary benefit made number of representations and finally, the fourth respondent herein viz., Commissioner, Mettur Municipality, Salem District, in his Letter in Na.Ka.No.2802/2017/F1, dated 05.09.2017 addressing to the third respondent herein viz., Director, Directorate of Local Fund Audit, Saidapet, Chennai, clearly recommended to consider the case of the petitioner, but till date, there is no response. The recommendation dated 05.09.2017 shows that a direction be issued.

4. Mr.R.S.Selvam, learned Government Advocate appearing for respondents 1 to 3 sought for four weeks' time to consider the case of the petitioner but this Court only grants two weeks' time.

5. Heard Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the fourth respondent.

6. Considering the submissions made by the learned counsel on either side, this Court directs the third respondent to pass appropriate orders on the basis of the

recommendation made by the fourth respondent dated 05.09.2017, within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Municipal Administration and Water
Supply Department,
Chepauk, Chennai - 600 005.
3. The Director,
Directorate of Local Fund Audit,
Integrated Complex for Finance Department,
4th Floor, Nandanam,
Saidapet,
Chennai - 600 035.
4. The Commissioner,
Mettur Municipality,
Mettur Dam, Salem District.

+1c to Mr.S.Periasamy Advocate SR.No.19363

+1cc to the Government Pleader SR.No.19251

SDR 28.03.2018

W.P. No.5032 of 2018