

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28245 of 2017

R.Bakkiyavathi

..Petitioner

vs

1. The Superintendent of Police,
District Police Office,
Kancheepuram,
Kancheepuram District,
Pin code-631501.

2. The Account officer,
Office of the Principal Accountant General,
(Accounts & Entitlements), Tamilnadu,
Chennai - 600 018.

.. Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation letter dated 25.10.2017 to release the Terminal benefits, Pensionary benefit, Family Pension proposal, Gratuity provident fund of the petitioner's husband namely P.Rajendran.

For Petitioner : Mr.Parigopal
For Respondents : Mr.A.Ansor (for R1)
Government Advocate
Mr.V.Vijay shankar (for R2)

सतयमेव जयते
O R D E R

The relief sought for in this writ petition is to direct the second respondent to consider the petitioner's representation dated 25.10.2017 to settle the Terminal and Pensionary benefits including the family pension, Gratuity, provident fund of the husband of the petitioner.

2.The learned counsel for the writ petitioner states that the writ petitioner married one Mr.P.Rajendran on 29.04.1979. Out of their wedlock, they have got three children and the husband of the writ petitioner was working as Grade-1 Police constable bearing PC.No.1698.

3. The learned counsel for the petitioner further states that the husband of the writ petitioner was found missing from 06.08.2012 and he could not be traced. However, the terminal pensionary benefits due to him are not settled to the writ petitioner, who is none other than his wife and by following the procedure contemplated. In the event of producing the required documents as per the Rules in force, the case of the writ petitioner has to be considered. However, the present writ petition has been filed without establishing that the writ petitioner has produced all such necessary documents enabling the respondents to consider the claim of the writ petitioner for the grant of terminal pensionary benefits. Hence, the writ petitioner is at liberty to submit all the required documents for the purpose of grant of the pension and other retirement benefits and in the event of submission of all the required documents, the claim of the writ petitioner shall be considered by the respondents in accordance with the Rules in force.

4. With the observation, the writ petition is disposed of. However, there shall be no order as to costs.

vum/pkn

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
District Police Office,
Kancheepuram,
Kancheepuram District,
Pin code-631501
2. The Account officer,
Office of the Principal Accountant General,
(Accounts & Entitlements), Tamilnadu,
Chennai - 600 018.

+1cc to Mr.Parigopal, Advocate S.R.No.70981
+1cc to the Government Pleader, S.R.No.70542

KR/13/11/18

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