

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12-02-2019

CORAM

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

W.P.No.3155 of 2018

1.S.Selvamurugan
2.Tmt.S.Eswari

.. Petitioners

- Vs. -

1.The Secretary to Government of Tamil Nadu,
Environment and Forest,
Fort St. George,
Chennai-600 009.

2.The Principal Chief Conservator of Forest,
Panagal Buildings,
Saidapet,
Chennai-600 015.

3.K.S.Neelagandan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the respondents to pay all the attendant benefits and
family pension.

For Petitioners : Mr.N.Rajavadivelu

For Respondents : Mr.Thanga Vadhana Balakrishnan,
Additional Government Pleader
(Forest).

O R D E R

The relief sought for by the writ petitioners in the
present writ petition is for a direction to direct the
respondents to pay all the attendant benefits and family pension.

2. The grievances of the writ petitioners are that
their entitlement to receive family pension has not been
considered by the respondents.

3. The learned counsel for the writ petitioners states
that the first petitioner is the son of the deceased employee

and the second petitioner is the wife of the deceased employee. The writ petitioners have submitted the first Legal Heirship Certificate on 19.10.2005 as well as the Death Certificate of the deceased employee dated 21.3.2014. The second Legal Heirship Certificate issued by the competent authority dated 6.3.2017 also had been submitted before the authorities for consideration.

4. In spite of the fact that the writ petitioners are entitled to receive the family pension, no action has been taken by the authorities to consider the case of the writ petitioners. Thus, the writ petitioners are at liberty to submit a fresh representation, setting out all the facts and circumstances, for claiming the terminal and pensionary benefits as well as the pension arrears due to the deceased employee, within a period of three weeks from the date of receipt of a copy of this order and on receipt of any such representation from the writ petitioners, the second respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

Svn

To

1.The Secretary to Government of Tamil Nadu,
Environment and Forest,
Fort St. George,
Chennai-600 009.

2.The Principal Chief Conservator of Forest,
Panagal Buildings,
Saidapet, Chennai-600 015.

+2ccs to Mr.N.Rajavadivelu, Advocate SR.No.13528

+1cc to Special Government Pleader, High Court, Madras
SR.No.13092

W.P.No.3155 of 2018

SJ(CO)
GMY(05/03/2019)