

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.01.2019

CORAM

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

W.P.Nos.14956 & 14957 of 2005

Master.Manav
Mrs.Sarojini

..Petitioner in W.P.No.14956/2005
..Petitioner in W.P.No.14957/2005

vs

1.Government of India
Rep.by its Secretary, Chennai
Ministry of Defence
New Delhi.

2.The Chief of Air Staff
Indian Air Force
Having Head Quarters at
Subrota Park
New Delhi - 110 010

..Respondents in both W.Ps

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second Respondent to pay ex gratia compensation to the petitioners.

For Petitioners : Mr.K.J.Rebello(in both W.Ps)

For Respondents : Mr.G.Baskaran,
Central Government Standing counsel(CGSC)
(in both W.Ps)

C O M M O N O R D E R

The relief sought for in these writ petitions is for a direction to direct the Second Respondent to pay ex gratia compensation to the petitioners.

2.The learned Central Government Standing counsel appearing on behalf of the respondents states that the 1st petitioner's father joined the Indian Air Force on 13th January 1989 and expired on 14th July 2003 due to Motor Accident, while he was in service. As per the service documents, Smt.P.Sirisha(wife) is recorded as the Next-of-kin. The competent authority considered

the case as attributable to military services and accordingly, granted Special Family Pension(SFP) to Smt.P.Sirisha(wife) with effect from 15th July 2003 along with a sum of Rs.95,400/- on account of Death-cum-Retirement Gratuity(DCRG) vide PPO No.08/14/B/F/P/281/2004. In addition to the aforesaid benefits, an amount of Rs.5,00,000/-(Rupees Five Lakh only) to Smt.P.Sirisha(wife) on account of Ex-gratia Lump sum compensation vide DCA/Pen-II/FP dated 18.05.2004.

3.This being the factum of the case, the entire service benefits to the deceased employee was already settled in favour of his wife, who was the nominee in the Service Register of the deceased employee.

4.Thus, no further adjudication is required in respect of the issues raised and accordingly, both the writ petitions stands closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary, Chennai
Ministry of Defence
New Delhi.

2.The Chief of Air Staff
Indian Air Force
Having Head Quarters at
Subrota Park
New Delhi - 110 010

+lcc to Mr.G.Baskaran, Advocate, S.R.No. 7903

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VSN II(CO)
GN(25/02/2019)