

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12-02-2019

CORAM

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

W.P.No.5720 of 2018

S.Savithri

..Petitioner

- Vs. -

1.The Principal Secretary and Commissioner
of Revenue Administration,
Chepauk,
Chennai-600 005.

2.The Revenue Divisional Officer,
RDO Office,
Salem-1,
Tamil Nadu.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation dated 28.1.2018 to grant all service benefits to the family of the deceased Government employee like PF, Gratuity, including Family Pension and arrears of pay.

For Petitioner : Mr.M.S.Soundara Rajan

For Respondents : Mr.R.S.Selvam,
Government Advocate.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petition on 28.1.2018 to grant all service benefits like PF, Gratuity, including Family Pension and arrears of pay.

2. The grievance of the writ petitioner is that her husband late Mr.P.Sadasivam, was employed as Village Administrative Officer and died on 14.10.2017. The husband of the writ petitioner was convicted by the Trial Court. However, the criminal appeal filed against the order of conviction was

pending at the time of death of the husband of the writ petitioner.

3. The learned counsel for the writ petitioner states that no departmental disciplinary proceedings were initiated against the husband of the writ petitioner and therefore, she is entitled for all benefits and the pensionary benefits as per the Rules in force. However, all these facts are to be verified by the competent authorities and a decision is to be taken with reference to the representation submitted by the writ petitioner in this regard.

4. Thus, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 28.1.2018 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents along with the order passed in this writ petition.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Svn
To

1.The Principal Secretary and Commissioner
of Revenue Administration,
Chepauk, Chennai-600 005.

2.The Revenue Divisional Officer,
RDO Office,
Salem-1, Tamil Nadu.

+1cc to Mr.M.S.Soundararajan, Advocate Sr.12581
+1cc to the Government Pleader Sr.12824

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srg 05/03/2019