

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-04-2019

CORAM

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

W.P.No.8099 of 2019

Thirumathi.Kannayyee

.. Petitioner

vs

1.The Director of Town Panchayats,
Kuralagam,
Chennai-108.

2.The Director,
Local Fund Audit,
4th Floor, Kuralagam,
Chennai-108.

3. The Assistant Director,
Town Panchayats - (Pension),
Kuralagam,
Chennai-108.

4. The Executive Officer,
Punjaithottakurichi Town Panchayat,
Punjaithottakurichi,
Karur Taluk and District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider and pass orders on the reapplication dated 30.6.2014 and reminder dated 12.1.2016 and direct the respondents 1 to 3 to sanction family pension to the writ petitioner.

For Petitioner : Mr.K.A.Prabaharan
For Respondents-1to3 : Mr.A.N.Thambidurai,
Special Government Pleader.

For Respondent-4 : Mr.M.Jothikumar

O R D E R

The grievance of the writ petitioner is that the family pension, as applicable, is yet to be settled in spite of the fact that the husband of the writ petitioner passed away on 6.5.2013.

2. The writ petitioner is unable to get her family pension for the past more than 4-1/2 years.

3. The learned Special Government Pleader, appearing on behalf of the respondents 1 to 3, states that on account of certain discrepancies in the name of the writ petitioner, the pension proposals were not submitted to the competent authorities for sanctioning. However, necessary corrections were already carried out and a revised pension proposal has been submitted for the approval of the competent authorities. Thus, after completing the formalities, the family pension due to the writ petitioner will be paid.

4. This Court is of the considered opinion that there cannot be any undue delay in respect of the payment of family pension to the widows of the public servants. If at all, if there is any delay or some corrections are to be required, then the same must be done without any undue delay. The family pensions are to be sanctioned immediately.

5. Family pension being the livelihood of the widows of the public servant, the authorities competent are expected to show some sensitiveness in this, so as to initiate appropriate steps to sanction and pay the family pension without any undue delay. If at all there is any administrative delay, for that period, the writ petitioner is entitled to claim interest for the belated settlement of the family pension and arrears of family pension.

6. This being the factum, the respondents are directed to process the revised pension proposal of the writ petitioner 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.

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

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

Svn

To

1.The Director of Town Panchayats,
Kuralagam,
Chennai-108.

2.The Director,
Local Fund Audit,
4th Floor, Kuralagam,
Chennai-108.

3.The Assistant Director,
Town Panchayats - (Pension),
Kuralagam,
Chennai-108.

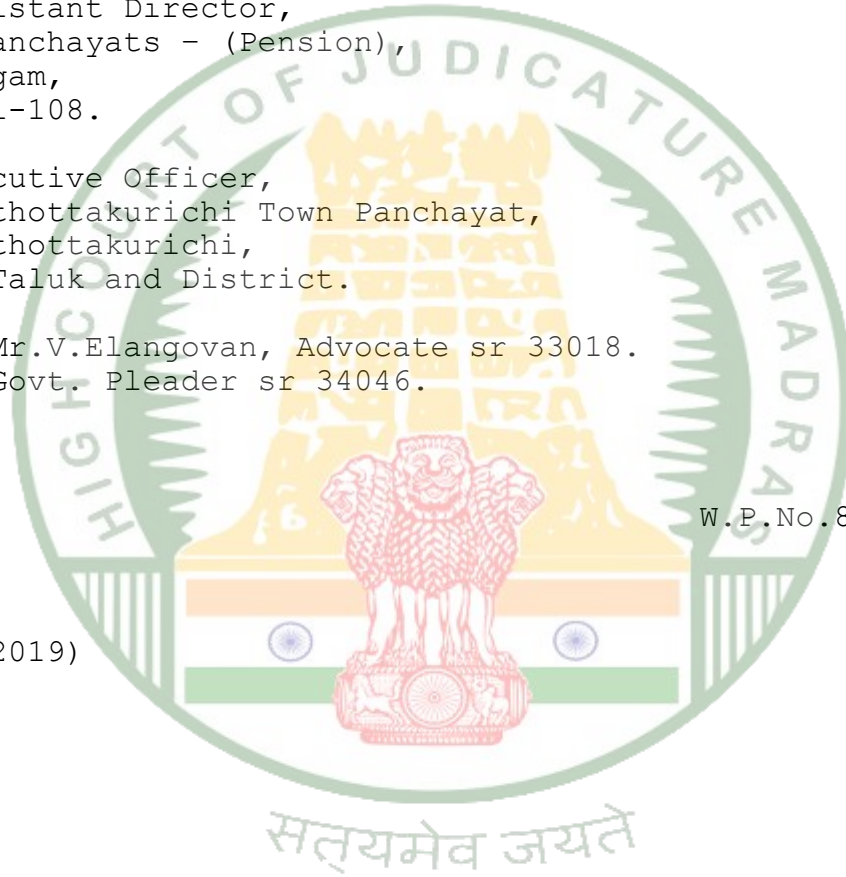
4.The Executive Officer,
Punjaithottakurichi Town Panchayat,
Punjaithottakurichi,
Karur Taluk and District.

+1 CC to Mr.V.Elangovan, Advocate sr 33018.

+1 CC to Govt. Pleader sr 34046.

VSNI I (CO)
SP (12/04/2019)

W.P.No.8099 of 2019



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