

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :13.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No. 18833 of 2019

N. Jaya

..Petitioner

Vs

1.The Principal Accountant General
(Accounts & Entitlements) Tamilnadu,
361,Anna Salai,
Chennai-600018.

2.The Additional Assistant Elementary
Educational Officer,
Sriperumbudur,
Kanchipuram-602105.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose of representation of the petitioner dated 30.05.2019 insofar as to pay the retirement benefits along with arrears from the date of death of the petitioner's husband namely late C.Nandhan, i.e 26.10.2013 and other consequential relief.

For Petitioner : M/s. R. Karthikeyan
For Respondents : Mr. Vijaya Shankar, SC -R1
Mrs. P.Kavitha, GA - R2

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the 1st respondent to dispose of representation of the petitioner dated 30.05.2019 insofar as to pay the retirement benefits along with arrears from the date of death of the petitioner's husband namely late C.Nandhan, i.e 26.10.2013 and other consequential relief.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner's husband namely late Mr.Nandhan was working as a second grade

teacher in O.M. Mangalam Panchayat Union Primary School, Sriperumbudur. He is a recipient of best teacher award during his service and retired from service on superannuation on 01.07.1984. He received his pension till his death i.e on 26.10.2013. After his death, the petitioner has not received pension till date. The petitioner's husband had married one Pattammal on 08.03.1950 and their marriage was subsequently came to be dissolved vide order of the Sub Court, Kancheepuram in HMOP. No. 20 of 2008 dated 31.10.2008. Meanwhile, the petitioner and her children had obtained legal heir certificate by way of Decree dated 08.03.2001 passed in O.S. No. 405 of 2014 by the District Munsif-cum-Judicial Magistrate, Sriperumbudur. The petitioner's husband also executed a Will infavour of the petitioner vide Registered Doc.No.116 of 2013 dated 07.10.2013 stating that the petitioner is entitled to receive his family pension. Further the petitioner has submitted all the particulars as required by the 1st respondent. Inspite of all these, the petitioner is yet to receive his family pension. She made a representation dated 08.02.2019 to the 1st respondent to grant her pension, since the same was not considered till date, the petitioner has filed the present writ petition.

4. Learned counsel appearing for the petitioner further submitted that it would suffice, if this Court issues direction to the 1st respondent to consider and pass orders on the representation submitted by the petitioner dated 30.05.2019

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 1st respondent to consider the petitioner's representation dated 30.05.2019 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

सत्यमेव जयते
Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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1.The Principal Accountant General
(Accounts & Entitlements) Tamilnadu,
361,Anna Salai,
Chennai-600018.

2.The Additional Assistant Elementary
Educational Officer,
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Kanchipuram-602105.

+1cc to M/s.V.Vijay Shankar, Advocate sr.94363
+1cc to M/s. R. Karthikeyan, Advocate sr.94308
+1cc to Government Pleader SR.NO. 95723
+1cc to M/s. R. Karthikeyan, Advocate sr.94308 (21/01/2020)

W.P.No.18833 of 2019

ppa (co)
nr 13/12/2019



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