

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.19979 of 2019

Pechiyammal

... Petitioner

Vs.

The Commissioner of Police
Police Commissioner's Office
Coimbatore.

... Respondent

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 08.08.2018.

For Petitioner : Mr.M.N.Balakrishnan

For Respondent : Ms.M.Lalitha, G.A.

O R D E R

This petition has been filed by the petitioner to direct the respondent to consider the petitioner's representation dated 08.08.2018.

2.The case of the petitioner is that her husband Late Anthony Muthu, retired from the service as a Sub-Inspector of Police and was receiving the pension from the respondent. Under such circumstances, he expired on 07.06.2006 due to illness. Thereafter, the respondent has stopped the benefit of pension to the petitioner which was the only source of income. The 1st wife of the petitioner's husband predeceased him. The status of the petitioner as a 2nd wife is updated in all Government records, including ration card and Aadhar card to prove the said claim. When the petitioner approached the respondent to know the status of the pension, the petitioner was made to run pillar to post for no valid reasons. Hence, the petitioner gave a representation dated 08.08.2018 to the respondent in person. The said representation was not yet considered by the respondent. Hence, this petition.

3.The learned counsel for the petitioner submitted that, it would suffice if a direction is issued to the respondent to consider the representation of the petitioner dated 08.08.2018 fixed by this Court.

4.The counter has been filed by the respondent, wherein, they have stated that the petitioner's husband Late Antony Muthu was receiving pension till his demise and the said Late Antony Muthu nominated his wife Rajammal as his legal heir who predeceased him. Hence, the pension has been stopped by the District Treasury, Coimbatore. When the petitioner approached the respondent for family pension, she was requested to submit the proof of marriage with Late Antony Muthu for onward transmission to the AG, Chennai. The petitioner has not yet submitted her marriage proof till date. Hence, prays for appropriate orders.

5.Thus, without going into the merits of the case, this court is inclined to direct the petitioner to approach the competent authority to obtain marriage certificate with Late Antony Muthu and to produce the same to the respondent to establish her marriage to get family pension.

6.With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

The Commissioner of Police
Police Commissioner's Office
Coimbatore.

+1cc to the Government Pleader, S.R.No.95589

W.P.No.19979 of 2019

SR(CO)
CS/02/01/2020