

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30549 of 2019

Chandra

..Petitioner

vs

1. The Vigilance Commissioner

Central Vigilance Commission,
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023

2. The Senior Pay and Accounts Officer

PAO, DPAR, M/O, PPG and Pensions
3rd Floor, B Wing, Lok Nayak Bhawan,
Khan Market, New Delhi-110023

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to finalize the petitioner's claim of family pension in the light of the directions of the 1st respondent made in proceeding No. 44/PRS/052(Pt) 401005/401007 dated 22.11.2018 and Proceedings No. 44/PRS/052(pt)414519 dated 27.03.2019 by considering her representation dated 02.09.2019 in time bound manner.

For Petitioner : Mr.R.Chandrasudan

ORDER

Writ Petition is filed for issuance of a Writ of Mandamus directing the 2nd respondent to finalize the petitioner's claim of family pension in the light of the directions of the 1st respondent made in proceeding No. 44/PRS/052(Pt) 401005/401007 dated 22.11.2018 and Proceedings No. 44/PRS/052(pt)414519 dated 27.03.2019 by considering her representation dated 02.09.2019 within a stipulated time.

2. The case of the petitioner is that the petitioner is a divorced daughter of late M.K. Vasudevn who was retired from the service in the year 1980 as Director of Central Vigilance Commission and died on 13.09.2005. The petitioner's mother Smt.Padma Vasudevan was getting the family pension of the petitioner's father till her demise on 17.12.2013. The petitioner applied for grant of family pension under the category as divorced dependent daughter in the year 2014. The

petitioner's claim was favourably considered by the 1st respondent and the 1st respondent directed the 2nd respondent to settle the family pension without further delay. The petitioner also submitted a representation dated 01.06.2019. Since there is no response from the 2nd respondent, the petitioner has preferred this writ petition.

3. Learned counsel appearing for the petitioner submitted that the divorced daughter is entitled to receive family pension under 54(6) of Pension Rules and further submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation and pass appropriate orders within the reasonable time.

4. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 2nd respondent to consider the petitioner's representations dated 01.06.2019 and pass appropriate orders after affording opportunity to the aggrieved person on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Vigilance Commissioner
Central Vigilance Commission,
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023
2. The Senior Pay and Accounts Officer
PAO, DPAR, M/O, PPG and Pensions
3rd Floor, B Wing, Lok Nayak Bhawan,
Khan Market, New Delhi-110023

+1 cc to M/s.R.Chandrasudan, Advocate Sr.No. 90616

AKM/10.12.19/2P-4C /

W.P.No.30549 of 2019