

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :14.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.31939 of 2019

1 R.THANAMANI

... Petitioner

Vs

1 The Principal Accountant General
(A and E) 361, Anna Salai,
Teynampet , Chennai 600 018

2 The Senior Deputy Accountant
General (Accounts) 361, Anna Salai
Teynampet, Chennai 600 018.

3 The Treasury Officer
Perambalur,
Perambalur District

4 The Tahsildar
Perambalur,
Perambalur District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue appropriate Writs, Orders or Directions and in particular issue a Writ in the nature of MANDAMUS, Directing the respondents 1 and 2 dispose petitioner's representation dated 26.04.2019 and pass appropriate order to grant arrears of pension of petitioner husband K.Rajendran.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondents : Mrs. Hema Muralikrishnan,
Standing Counsel for R1 & R2
Mr. R.S.Selvam,
Government Advocate for R3 & R4

O R D E R

1.The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the respondents 1 and 2 dispose his representation dated 26.04.2019 and pass appropriate order granting arrears of pension to the petitioner due and payable to her husband K.Rajendran.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel and Government Advocate appearing for the respective respondents.
3. According to the petitioner, her husband K.Rajendran was appointed as a Village Assistant in the Aranarai North Perambalur Taluk, Perambalur District on 01.06.1995. He retired from service on 30.06.2016 after attaining the age of superannuation by putting more than 21 years of unblemished service. Thereafter, the first respondent fixed the pension as per the order of the Government in G.O.Ms.No.303, dated 11.10.2017 and also ordered to pay the arrears of pension and other monetary benefits. In the mean while, the petitioner's husband died on 15.04.2018 due to illness. The grievance of the petitioner is that though she is receiving the family pension, the arrears of pension due and payable to her husband have not been paid. It appears that the petitioner made a representation on 26.04.2019 and despite the same, since there was no action forthcoming from the respondents, the petitioner is before this Court.
4. The learned counsel appearing for the petitioner would submit that in spite of representation dated 26.04.2019 made by the petitioner and the recommendations of the respondents 3 and 4, the first and second respondent have not taken any action for payment of arrears of pension due to the petitioner's husband. Therefore, the learned counsel would implore this Court to pass appropriate direction to the respondents 1 and 2 in this regard.
5. The learned Special Government Pleader as well as the Government Advocate appearing for the respondents while acceding to the claim of the petitioner would submit that let the petitioner submit a fresh representation to the respondents along with the copy of this order, the respondents would consider and pass appropriate order in compliance with the orders of this Court.
6. Considering the facts and circumstances of the case and the submissions made on either side, this Court directs the respondents 1 and 2, to consider the representation dated 26.04.2019 and pass appropriate order therein in accordance with law within a period of twelve weeks from the receipt of copy of this order.
7. The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

jrs

To

- 1 The Principal Accountant General
(A and E) 361, Anna Salai,
Teynampet , Chennai 600 018
- 2 The Senior Deputy Accountant
General (Accounts) 361, Anna Salai
Teynampet, Chennai 600 018.
- 3 The Treasury Officer
Perambalur,
Perambalur District
- 4 The Tahsildar
Perambalur,
Perambalur District.

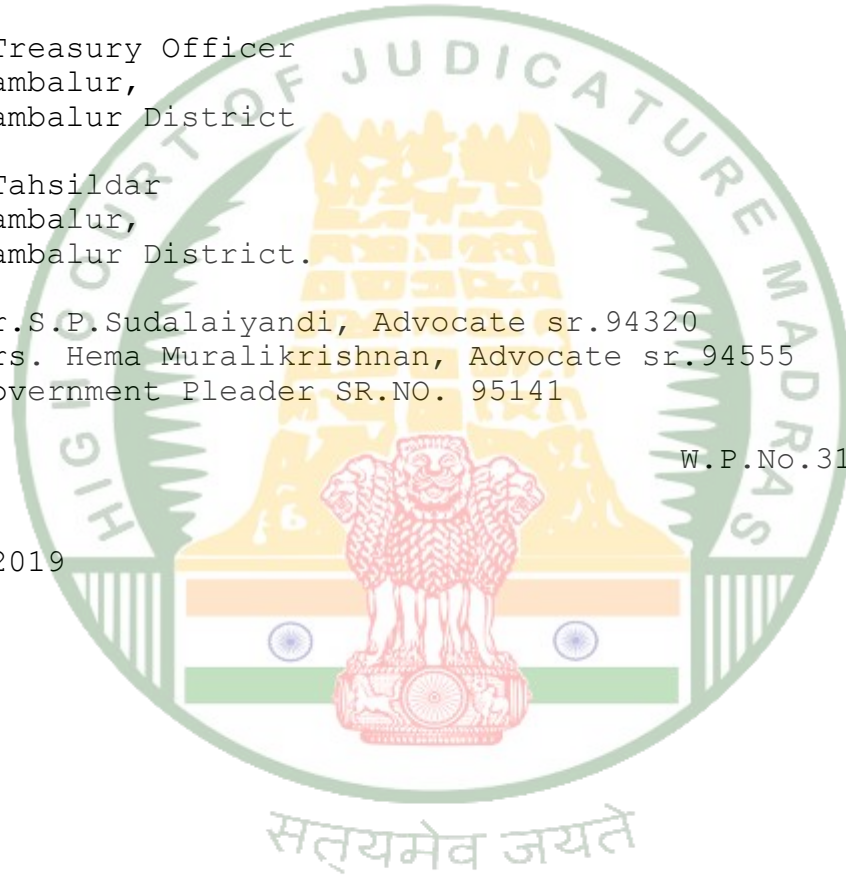
+1cc to Mr.S.P.Sudalaiyandi, Advocate sr.94320

+1cc to Mrs. Hema Muralikrishnan, Advocate sr.94555

+1cc to Government Pleader SR.NO. 95141

W.P.No.31939 of 2019

spd(co)
nr 18/11/2019



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