

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32507 of 2019

K.Raniammal

... Petitioner

Vs.

1.The Secretary to Government,  
Co-op, Food and Consumer Protection Department,  
Secretariat,  
Chennai-9

2.The Section Officer,  
Co-op, Food and Consumer Protection Department,  
Secretariat  
Chennai-9

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to sanction the pension and disburse retirement benefits of Late.Krishnamurthy to the petitioner.

For Petitioner : Mr.G.Muthukumar

For Respondents : Mr.L.P.Shanmugasundaram,  
Special Government Pleader(Co-op)

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the marriage of the petitioner and one, Krishnamurthy was solemnized in the year 1988 and the husband of the petitioner was working as Office Assistant in the Co-op, Food and Consumer Protection Department, Secretariat, Chennai-9 and he died on 20.01.2014. In order to avail retirement benefit and compassionate appointment, the petitioner made representation on 31.12.2014 and 13.01.2015. Similarly, one Kangammal also claimed as the wife of the said

Krishnamurthy. Both the petitioner and Kangammal filed suit for declaration of the legal heir of the deceased Krishnamurthy. The Kangammal's suit was dismissed and the petitioner's suit was decreed on 01.08.2016, wherein the petitioner was declared as the sole legal heir of the deceased Krishnamurthy. Thereafter the petitioner made representation to the first respondent on 11.04.2019 for pension and other benefits, but till date the same has not been considered. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner dated 11.04.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 11.04.2019 and after affording opportunity to said Kangammal, who is the aggrieved person, pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

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

Sd/-  
Assistant Registrar(CS VIII)

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सत्यमेव जयते  
Sub Assistant Registrar

To

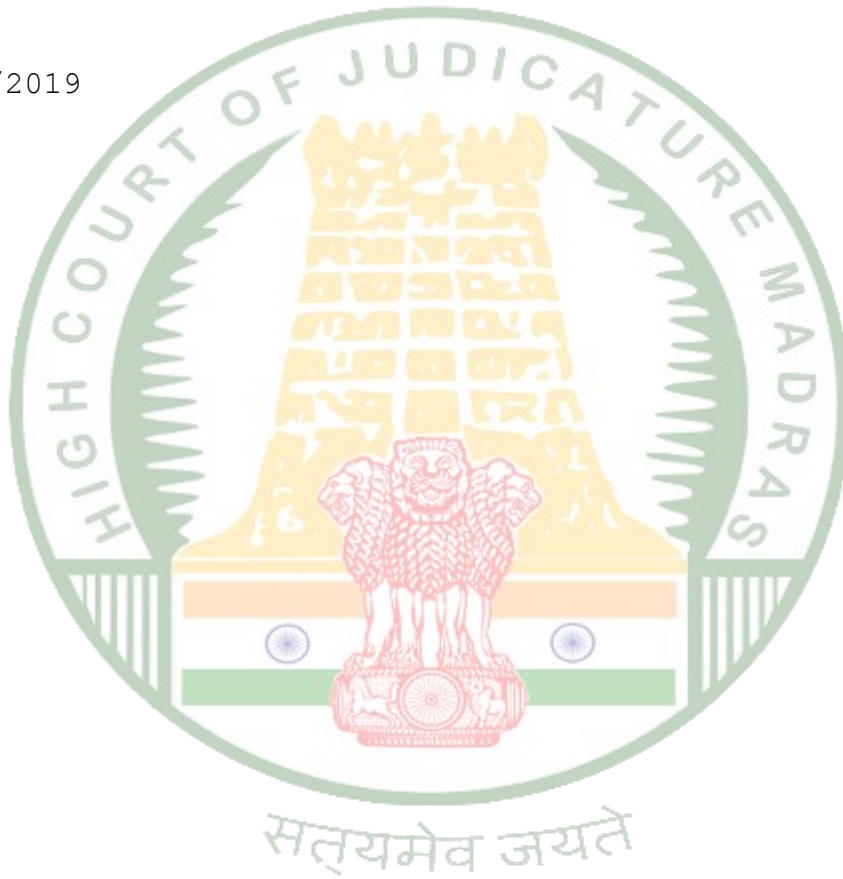
1.The Secretary to Government,  
Co-op, Food and Consumer Protection Department,  
Secretariat,  
Chennai-9.

2.The Section Officer,  
Co-op, Food and Consumer Protection Department,  
Secretariat  
Chennai-9.

+lcc to Mr.G.Muthukumaran, Advocate sr.96275

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srg 27/12/2019



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