



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

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CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.1179 of 2018

M.Valli

... Petitioner

VS

1.The Commissioner,
Municipal Administration,
Chepauk, Chennai-5.

2.The Commissioner,
Ramanathapuram Municipal Office,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's application dated 11.05.2011, pay due pension for the death of the petitioner's husband Late Muniyandi.

For Petitioner : Mr.T.Ravichandran

For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader
for R.1
: Mr.K.Kannan
for R.2

ORDER

The Writ Petition is filed seeking a direction to the respondents to consider the petitioner's application dated 11.05.2011 and to pay due pension for the death of the petitioner's husband Late Muniyandi.

2. Heard the learned Counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned Counsel appearing for the second respondent and perused the materials available on record.

3. The case of the petitioner is that her husband Muniyandi died on 20.09.1980, while he was in service as a sweeper in the second respondent Municipality. However, the pension payable due



to his death was not paid to the petitioner. Hence, she made several representations to the respondents and finally on 11.05.2011, seeking family pension. Since no action is forthcoming, the petitioner is before this Court by filing this writ petition.

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4. The learned Special Government Pleader appearing for the first respondent as well as the learned Counsel appearing for the second respondent would submit that the representation of the petitioner would be considered within a time frame as fixed by this Court.

5. Considering the nature of the prayer as sought for by the petitioner and since the representation seeking family pension is kept pending for more than eight years, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner dated 11.05.2011 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Commissioner,
Municipal Administration,
Chepauk, Chennai-5.

2. The Commissioner,
Ramanathapuram Municipal Office,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-53276[F] dated 12/03/2019)

SSL

W.P (MD) No.1179 of 2018
11.03.2019