



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN****WP (MD) No.5432 of 2019**

Susila

... Petitioner

Vs.

The Chief Executive Officer,
Tamil Nadu Khadi and Village,
Industries Board,
Kuralagam Building,
Chennai -108.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating the impugned orders passed by the respondent in his proceedings Na.Ka.No.3875/03/2017 dated 17.10.2018 and the subsequent impugned order passed by the respondent in his proceedings in Na.Ka.No.3875/Ooivu3/2017 dated 20.12.2018 and quash the same as illegal and direct the respondent to grant family pension to the petitioner namely that she is the widowed daughter of her father Shanmugaperumal as per GO.Ms.325 of Finance and Pension Department, dated 28.11.2011 with six percent simple interest for the delay period.

For Petitioner : Mr.P.Senthur Pandian
For Respondent : Mr.S.Angappan,
Government Advocate

ORDER

This writ petition has been filed seeking to quash the impugned orders passed by the respondent vide proceedings in Na.Ka.No.3875/03/2017 dated 17.10.2018 and the proceedings in Na.Ka.No.3875/Ooivu3/2017 dated 20.12.2018 and direct the respondent to grant family pension to the petitioner, as per GO.Ms.325 of Finance and Pension Department, dated 28.11.2011, with interest.

2.The learned Counsel for the petitioner submitted that the petitioner being the daughter of one Shanmugaperumal, who had worked as Khadi Inspector, retired on 31.07.1993 and passed away on 17.10.2001, requested the respondents to grant her family pension as her mother already predeceased her father. Subsequently, by the impugned orders, the petitioners was directed to submit certain documents, which according to the petitioner, had already been submitted. Challenging the impugned orders, the petitioner is



3. When the matter has been taken up for hearing the learned Counsel for the petitioner submitted that the documents as required through the impugned orders, have already been furnished by the petitioner by enclosing the same with an undated representation, which has been sent on 02.01.2019 through RPAD to the respondent and confined the prayer made in this writ petition to the extent of seeking a direction to the respondents to consider the aforesaid undated representation, in the light of the documents furnished by the petitioner on 02.01.2019, through post.

4. The learned Government Advocate appearing for the respondent has agreed for such prayer.

5. Under such circumstances, this Court, without going into the merits of the case, directs the respondent to consider the petitioner's undated representation sent on 02.01.2019, on merits and in accordance with law and pass necessary orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

The Chief Executive Officer,
Tamil Nadu Khadi and Village,
Industries Board,
Kuralagam Building,
Chennai -108.

+1CC TO MR.P.SENTHUR PANDIAN, Advocate Sr. No.58200

ORDER MADE IN
WP (MD) No. 5432 of 2019
01.04.2019

DB (CO)

TR (02.05.2019) 2P 3C