



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 21.02.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No. 9212 of 2018

D.Subalatha

... Petitioner

Vs.

1.The Accountant General of Tamilnadu
Office of the Accountant General,
Chennai 600 018.

2. The Sub - Treasury Office,
Sub Treasury Office,
Aruppukottai,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents herein to consider and pass orders on the petitioner's re-submitted proposal dated 06.03.2018, seeking to sanction arrears of family pension payable to petitioner's mother from 10.06.2010 to 27.11.2014 and family security fund lump sum Rs.25,000/- and pass suitable orders.

For Petitioner : Mr.E.V.N.Siva

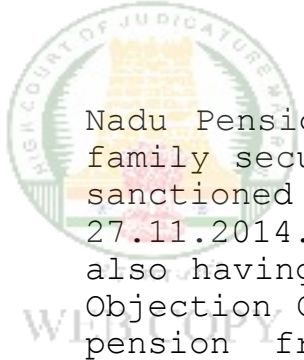
For R1 : Mrs.J.Padmavathy Devi
Special Government Pleader

For R2 : Mr.P.Gunasekaran

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's re-submitted proposal dated 06.03.2018, seeking to sanction arrears of family pension payable to the petitioner's mother from 10.06.2010 to 27.11.2014 and family security fund.

2. The case of the petitioner is that the petitioner's sister R.Ahiladevi was working as a non-teaching staff in Education Department for more than 16 years and died on 09.06.2010, leaving her mother as legal heir. Hence, the petitioner's mother submitted separate proposals for sanction of family pension and family security fund of Rs.25,000/-. According to the petitioner, as per the order dated 20.08.2013 passed by the District Munsif, Aruppukottai in S.O.P.No.4 of 2012 and in accordance with the Tamil



Nadu Pension Rules, the petitioner's mother is entitled to receive family security fund and family pension. However, the same were not sanctioned to her. In the meanwhile, the petitioner's mother died on 27.11.2014. The petitioner, being her one of the legal heirs and also having regard to the fact that other legal heirs have given No Objection Certificate, is entitled to receive the arrears of family pension from 10.06.2010 to 27.11.2014 payable to her mother. Hence, she submitted a representation enclosing all the relevant documents to the respondents herein on 06.03.2018, seeking to sanction the arrears of family pension and family security fund. However, till date, no order has been passed. Hence, the petitioner is before this Court with the present Writ Petition for the relief stated supra.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, who, on instructions, submitted that the respondents are now, inclined to settle the family pension payable to the petitioner.

4. Recording the submission so made by the learned Special Government Pleader appearing for the respondents, this Court directs the respondents to settle the arrears of family pension from 10.06.2010 to 27.11.2014 and family security fund of Rs.25,000/- to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Accountant General of Tamilnadu
Office of the Accountant General,
Chennai 600 018.

2. The Sub - Treasury Office,
Sub Treasury Office,
Aruppukottai, Virudhunagar District.

+1 CC to M/s.E.V.N.SIVA, Advocate SR-48927

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.49225

+1 CC to M/s.P.GUNASEKARAN, Advocate SR-49566

W.P. (MD) No. 9212 of 2018

21.02.2019