

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 04.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8019 of 2019**

S.Franklin

... Petitioner

Vs.

1.The State Rep. by its Secretary,
Department of Health and Family Welfare,
Fort St. George, Chennai - 600 009.

2.Director of Public Health and Preventive Medicine,
359, DMS Building, Annasalai, Chennai - 600 006.

3.The Block Medical Officer,
Government Primary Health Centre,
Muthanendal,
Sivagangai District - 630 602.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the third respondent to send a pension proposal to the competent authority for grant of service pension with effect from 01.08.2018 with all consequential pension benefits.

For Petitioner : Mr.L.Rajiah

For RR 1 to 3 : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the third respondent to send a pension proposal to the competent authority for grant of service pension with effect from 01.08.2018 with all consequential pension benefits to the petitioner.

2.Heard Mr.L.Rajiah, learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The grievance of the petitioner is that though he retired from service on 31.07.2018, his pension proposal has not been sent to the competent authority by the third respondent. Hence, the petitioner sent a representation to the respondents on 15.03.2019 requesting to send the pension proposal. Since the same has not been considered so far, the petitioner has filed the present Writ



petition.

4.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be taken into consideration on merits.

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5.In view of the above, this Court, without going into the merits of the case, directs the third respondent to send a pension proposal of the petitioner to the competent authority within a period of three weeks from the date of receipt of a copy of this order and on receiving such proposal, the competent authority is directed to consider the same and pass appropriate orders, on merits and in accordance with law, after affording due 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, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar (CS)

ps

To

- 1.The Secretary,
Department of Health and Family Welfare,
Fort St. George, Chennai - 600 009.
- 2.Director of Public Health and Preventive Medicine,
359, DMS Building, Annasalai, Chennai - 600 006.
- 3.The Block Medical Officer,
Government Primary Health Centre,
Muthanendal,
Sivagangai District - 630 602.

+1 CC to M/s.SPL GP (SR-59241[F] dated 05/04/2019)

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ES/KK/02.05.2019/2P/5C