



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.04.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.9616 of 2019

A. Murugan

... Petitioner

Vs.

1.The Principal Controller of Defence,
(Pensions),
Draupadi Ghat,
Allahabad - 211 014,
Uttar Pradesh.

2.The Officer in Charge (OIC),
Records,
Army Records Officer (ARO),
Nasik Road Camp - 422 102.

3.The Officer Commanding (OC),
DOMDC 514,
AIR Defence,
Unit 104 AIR Defence Regiment (TA),
Ambala Cantonment - 133 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 12.11.2018 and sanction the pension of the petitioner for his service in the army from the date of retirement with arrears.

For Petitioner : Mr.A. John Vincent

For Respondents : Mr. S. Ponsenthilkumaran

ORDER

This writ petition is filed seeking to direct the 1st respondent to consider the representation of the petitioner, dated 12.11.2018 and sanction the pension of the petitioner for his service in the army, from the date of retirement with arrears.

2. Mr. S. Ponsenthilkumaran, learned Standing Counsel takes notice for the respondents. By consent, the writ petition itself is taken up for disposal at the admission stage.

3. Though this petition has been filed to give a positive direction to the first respondent, the learned counsel appearing for the petitioner submitted that the petitioner will be satisfied, if a direction is issued to the first respondent, to consider the representation of the petitioner, dated 12.11.2018.



4. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, which has been agreed by the learned Standing Counsel for the respondents, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the representation of the petitioner, dated 12.11.2018 on merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner,

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

trp

To

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(Pensions),
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+1 CC to M/s.S.PON SENTHIL KUMARAN, Advocate SR-62296.

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CS: (03/06/2019) 2P 5C