



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.9924 of 2019

V.Celin Mary

... Petitioner

vs.

1.The District Collector,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Lalgudi, Trichy District.

3.The Tahsildar,
Lalgudi, Trichy District.

4.The Accountant General,
Anna Salai, Chennai - 18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to re-fix the Petitioners family pension in the light of G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017 and pass appropriate orders in accordance with law on the basis of the petitioners representation dated 20.01.2019, 21.03.2019.

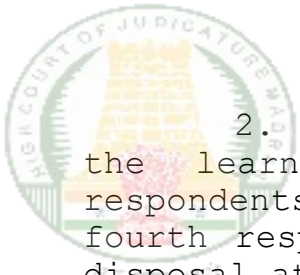
For Petitioner : Mr.S.Vinayak

For Respondents : Mr.S.Angappan
Government Advocate
for R1 to R3

: Mr.P.Gunasekaran
for R4

ORDER

The Writ Petition is filed seeking a direction to the respondents herein to re-fix the Petitioner's family pension in the light of G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017 and pass appropriate orders, in accordance with law, on the basis of the petitioner's representations, dated 20.01.2019, 21.03.2019.



2. Heard the learned Counsel appearing for the petitioner, the learned Government Advocate, who takes notice for the respondents 1 to 3 and the learned Counsel, who takes notice for the fourth respondent. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

WEB COPY

3. The case of the petitioner is that her husband namely Visuvasam was working as Village Assistant and he died on 04.07.1997. The petitioner was given a family pension of Rs.1,275/-. According to the petitioner, the pension amount was very meagre. She brought to the notice of this Court G.O.Ms.NO.313, dated 25.10.2017, wherein the minimum family pension has been enhanced to Rs.7,850/-. Hence, the petitioner made representations dated 20.01.2019 and 21.03.2019 to the respondents seeking re-fixation of her family pension. However, the same have not been considered so far. Therefore, the petitioner has approached this Court by filing this writ petition.

4. The learned Government Advocate as well as the learned Counsel appearing for the respective respondents submitted that the representation of the petitioner would be considered by the respondents on merits, within a time frame as fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, without going into the merits of the case, the respondents are directed to dispose of the representations of the petitioner dated 20.01.2019 and 21.03.2019 seeking re-fixation of family pension and pass appropriate orders on merits and in accordance with law, as well as in the light of G.O.Ms.NO.313, dated 25.10.2017, after affording an opportunity of hearing to the petitioner, within a period of eight 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(Crl.Side)

/TRUE COPY/

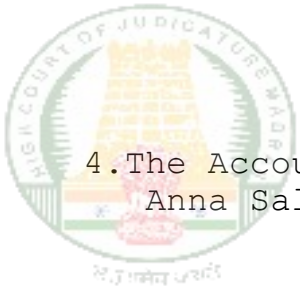
Sub Assistant Registrar(CS)

To

1.The District Collector,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Lalgudi, Trichy District.

3.The Tahsildar,
Lalgudi, Trichy District.



4.The Accountant General,
Anna Salai, Chennai - 18.

WEB COPY

+1 CC to M/s.S.VINAYAK, Advocate (SR-63074[F] dated 26/04/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-63006[F] dated
26/04/2019)

+1 CC to M/s.SPL GP (SR-63620[F] dated 27/04/2019)

W.P (MD) No.9924 of 2019
25.04.2019

CS: 17/05/2019/3P/8C