

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

DATED: 28.02.2019

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN**W.P(MD) No.13992 of 2018**

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... Petitioner

Vs.

1.The Special Secretary to Government,
Tamil Development - Culture and Religious
Endowments Department,
Secretariat, St. George Fort,
Chennai - 600 009.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
D.No.119, Uthamar Gandhi Salai,
Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tirunelveli Region,
Tirunelveli, Tirunelveli District.

4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nagercoil - 629 002,
Kanyakumari District.

5.The Executive Officer,
Arulmigu Esakkiamman Temple,
Muppanthal,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to take necessary steps and disburse the life time pension arrears and other retirement monetary benefits of the petitioner's husband namely Pandupillai.

For Petitioner : Mr.A.Kannan

For RR 1 to 4 : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

For R - 5 : Mr.B.Meltiue

**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the life time pension arrears and other retirement monetary benefits of the petitioner's husband.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 4 and the learned counsel appearing for the fifth respondent.

3. The learned counsel appearing for the petitioner submitted that due to the demise of the petitioner's husband, the petitioner sent a representation to the second respondent seeking pensionary benefits, for which, she received a reply, dated 10.03.2017, stating that there are some defects in her husband's proposal and to re-send the proposal with requisite documents. Accordingly, the petitioner approached the third respondent with necessary documents. Till date, the respondents have not chosen to disburse pension arrears and other monetary benefits. Hence, the petitioner has filed the present Writ Petition.

4. It is represented by the learned counsel for the fifth respondent that to meet out the claim of the petitioner, a proposal was already sent by the fifth respondent to the second respondent and the same is pending.

5. In view of the above submission, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the proposal sent by the fifth respondent pertaining to the life time pension arrears and other retiral benefits due to the petitioner and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight 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 (CrI.side)

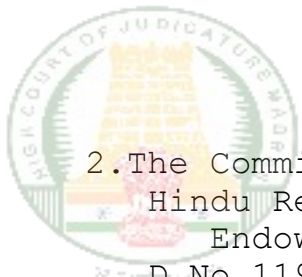
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Sub Assistant Registrar (CS-)

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To

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+1 CC to M/s.B.S.MELTUE, Advocate (SR-50779[F] dated 01/03/2019)
+1 CC to M/s.A.KANNAN, Advocate (SR-50761[F] dated 01/03/2019)
+1 CC to M/s.SPL GP (SR-51071[F] dated 01/03/2019)

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