



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.02.2019

CORAM:

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

WP (MD) No.16723 of 2018

K.Amutha

... Petitioner

Vs.

1.The Principal Accountant General,
(A & E), No.261,
Anna Salai,
Chennai - 600 018.

2.The Treasury Officer,
Treasuries and Accounts Department,
Tirunelveli District,
Tirunelveli.

3.The Assistant Treasury Officer,
Sub-Treasury Office,
Sivagiri,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 30.08.2017 requesting the 1st respondent to disburse 100% family pension to the petitioner along with 50% of DCRG and lifetime arrears of commutation amount withheld from the date of retirement of Petitioner's husband within a time limit that may be fixed by this Court.

For Petitioner	: Mrs.C.Jeyaindra Patel,
For Respondent No.1	: Mr.P.Gunasekaran
For Respondents	: Mr.C.M.Marichellaiah Prabhu,
No.2 & 3	Additional Government Pleader

ORDER

This writ petition has been filed, seeking to direct the respondents to consider the petitioner's representation dated 30.08.2017, requesting the 1st respondent to disburse 100% family pension to the petitioner along with 50% of DCRG and lifetime arrears of commutation amount withheld from the date of retirement of Petitioner's husband.

2. Seeking 100% family pension to the petitioner with arrears
the petitioner made a representation dated 30.08.2017 and
the same is said to be pending. Hence, the petitioner is before
this Court.



3.The learned Counsel appearing for the 1st respondent submitted that necessary details with regard to the age, etc., particulars of legal heirs of the deceased husband are yet to be placed before the 1st respondent by the District Library Officer, Tiruppur who is the salary disbursing authority.

4.The learned Additional Government Pleader appearing for the 2nd and 3rd respondents produced a communication in R.C.No.446/N1/2019, dated 23.02.2019, wherein it is stated that the District Library Officer, Tiruppur, is the authority to furnish all the details with regard to the claims of the petitioner.

5.It is seen that the petitioner's husband died. The children of 2nd wife were receiving 50% benefits. Now it is claimed that they attained the age of 25 years.

6.Under such circumstances, the petitioner is directed to approach the District Library Officer, Tiruppur to furnish all the required details, to the 1st respondent, within a period of two weeks from the date of receipt of a copy of this order and on such an approach the District Library Officer, Tiruppur, of course, who is not a party here, is directed to send a proposal, within a period of two weeks therefrom, to the 1st respondent, who, on receipt of such proposal, is directed to consider the same, on merits and in accordance with law and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of four weeks thenceforth.

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

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar(CS)

dsk

To

1.The Principal Accountant General,
(A & E), No.261,
Anna Salai, Chennai - 600 018.

2.The Treasury Officer,
Treasuries and Accounts Department,
Tirunelveli District,
Tirunelveli.



3.The District Library Officer,
Tiruppur.

4.The Assistant Treasury Officer,
Sub-Treasury Office,
Sivagiri,
Tirunelveli District.

+1CC TO MR.P.GUNASEKARAN, Advocate Sr. No.50342
+1CC TO MR.P.KALAIYARASI, Advocate Sr. No.50032
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 50164

ORDER MADE IN
WP (MD) No.16723 of 2018
25.02.2019

TR (02.04.2019) 3P 8C