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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.03.2019
CORAM:
THE HONOURABLE MR.JUSTICE. R.MAHADEVAN
W.P.(MD)No.23188 of 2018

G.Pushpam .. Petitioner

Vs.

1.State of Tamil Nadu,
rep.by its Secretary,
Department of Agriculture,
Fort St. George,
Chennai - 9.

2.The Director,
Department of Agriculture,
Chepaukkam,
Chennai - 5.

3.The Joint Director,
Department of Agriculture,
Thoothukudi District.

4.The Accountant General,
O/o.The Accountant General (A & E),
Tamil Nadu, 361, Anna Salai,
Teynampet,
Chennai - 018.
(R4 impleaded vide order dated 20.03.2019) .. Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the Respondents to award family pension and other consequential benefits to the petitioner from the date of demise of her husband (14-12-2017).

For Petitioner : Mr.M.M.Iqbal
For R1 to R3 : Mr.V.Anand
Government Advocate
For R4 : Mr.P.Gunasekaran

ORDER

Seeking a direction to the respondents to pay family pension, the petitioner is before this Court.

2.Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 to 3 and the learned counsel for the fourth respondent.

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3.The case of the petitioner is that she is the legally wedded wife of one Gopalakrishnan, who lastly served in the office of the third respondent department as Joint Director. After his

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demise, the petitioner was refused to pay family pension. Seeking such benefit, the petitioner made a representation dated 08.10.2018 followed by the letter dated 28.07.2018 to the respondents. Since the same have not been considered, the petitioner is before this Court seeking the aforementioned relief.

4.The learned Government Advocate appearing for the respondents 1 to 3 submitted that after receiving necessary proposal from the respondents 2 and 3, the claim of the petitioner will be considered and necessary orders be passed by the first respondent.

5.In such view of the matter, the respondents 2 and 3 are directed to send proposal to the first respondent in respect of grant of family pension to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such proposal, the first respondent shall pass appropriate orders on the same, sanctioning family pension to the petitioner, if there is no legal impediment, within a period of four weeks thereafter.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

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Sub Assistant Registrar(CS)

To
1.The Secretary,
State of Tamil Nadu,
Department of Agriculture,
Fort St. George,
Chennai - 9.

2.The Director,
Department of Agriculture,
Chepaukkam,
Chennai - 5.

3.The Joint Director,
Department of Agriculture,
Thoothukudi District.

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-57862[F] dated 29/03/2019)
+1 CC to M/s.SPL GP (SR-58118[F] dated 01/04/2019)
+1 CC to M/s.M.M.IQBAL, Advocate (SR-58703[F] dated 03/04/2019)

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DS(CS): 08/05/2019/2P/7C