



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.[MD]No.2270 of 2016

and

W.M.P.(MD)No.1997 of 2016

B.Appukuttan Nair : Petitioner

Vs.

1.The Principal Accountant General (A&E),
Accountant General Office,
Chennai-18.

2.The Treasury Officer,
Nagercoil, At Vilavancode,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from effecting any deduction from the pension of the petitioner bearing order No.A552049 and the family pension bearing pension payment order No.765654 claiming to be arrear without notice or opportunity to the petitioner and without following the due process of law.

For Petitioner : Mr.S.C.Herold Singh
For Respondent No.1 : Mr.P.Gunasekaran
For Respondent No.2 : Mrs.J.Padmavathy Devi,
Special Government Pleader

O R D E R

The petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus to forbear the respondents from effecting any deduction from his pension as well as family pension without any notice or opportunity.

2. Heard the submissions made on either side and perused the materials available on record.

3. The learned counsel for the petitioner submitted that the petitioner joined the Transport Corporation Department and retired from service on 31.08.1992 and he is receiving family pension and service pension as per eligibility. However, without any notice or opportunity, claiming some arrears to be settled, the respondents started to deduct some amount from the pension of the petitioner. Despite a representation being made, without considering the same,



the respondents are making deduction. Therefore, seeking to injunct the respondents, the present Writ Petition has been filed.

4. However, when the matter was taken up for hearing, the learned Standing Counsel for the first respondent and the learned Special Government Pleader appearing on behalf of the second respondent fairly submitted that the respondents would issue notice and after providing sufficient opportunity of hearing to the petitioner, appropriate orders would be passed in respect of the claim made by the petitioner.

5. Recording the submission so made, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar (CS)

SML

TO

1.The Principal Accountant General (A&E),
Accountant General Office,
Chennai-18.

2.The Treasury Officer,
Nagercoil, At Vilavancode,
Kanyakumari District.

+1CC TO MR.P.GUNASEKARAN, Advocate Sr. No.56902
+1CC TO MR.S.C.HEROLD SINGH, Advocate Sr. No. 56769
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.57150

Order made in
W.P. [MD]No.2270 of 2016
Dated: 26.03.2019

TR (22.04.2019) 2P 6C