

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

DATED: 28.02.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.2816 of 2016**

P.Pitchaimmal

... Petitioner

Vs.

1.The Secretary to Government,
Tamil Nadu Backward Classes,
Most Backward Classes and Minorities
Welfare Department,
St. George Fort, Secretariat,
Chennai - 9.

2.The Joint Director,
Kallar Reclamation,
District Collector Office,
Madurai - 20.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to consider the petitioner's representation, dated 08.12.2015 and pay the salary and other benefits on the light of G.O.Ms.No.11, dated 30.01.2015.

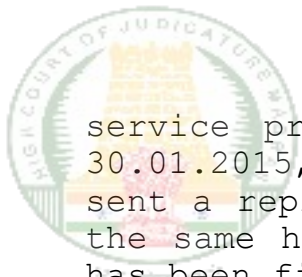
For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.V.Anand,
Government Advocate.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the second respondent to consider the petitioner's representation, dated 08.12.2015 and pay the salary and other benefits on the light of G.O.Ms.No.11, dated 30.01.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned counsel appearing for the petitioner submitted that after the demise of the petitioner's husband, who was appointed as a Secondary Grade Teacher on 20.08.1971, she received family pension. The petitioner's husband rendered service till 21.02.1988 and he was suspended during the period from 22.02.1988 to 03.08.1988 and thereafter, he was reinstated. The petitioner's husband rendered



service prior to 01.06.1988 and that as per G.O.Ms.No.11, dated 30.01.2015, he was entitled for the benefits. Hence, the petitioner sent a representation to the second respondent on 08.12.2015. Since the same has not been considered so far, the present Writ Petition has been filed.

WEB COPY

4.The second respondent filed a counter-affidavit stating that the petitioner is not entitled for such relief, which is refuted by the learned counsel for the petitioner.

5.In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner, dated 08.12.2015 in one way or other in the light of G.O.Ms.No.11, dated 30.01.2015 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed 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

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary to Government,
Tamil Nadu Backward Classes,
Most Backward Classes and Minorities
Welfare Department,
St. George Fort, Secretariat,
Chennai - 9.

2.The Joint Director,
Kallar Reclamation,
District Collector Office,
Madurai - 20.

+1cc to Mr.M.SUBASH BABU, Advocate, SR.No. 51199

W.P (MD) No.2816 of 2016
28.02.2019

PS

KK/SAR/05.04.2019/ 2P- 4C