



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.3638 of 2016

and

W.M.P.(MD)No.15371 of 2016

Tmt.Selvi

: Petitioner

Vs.

1.The Internal Audit Officer (Pension),
Audit Branch,
NPKRR Maaligai Ist Floor,
No.144, Annasalai,
Chennai-2.

2.The Superintendent Engineer,
Tamil Nadu Power Generation &
Distribution Corporation,
(TANGEDCO),
Tirunelveli Electricity Distribution Circle,
Tirunelveli-11.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to sanction family pension to the petitioner with arrears from the date of death of the petitioner's husband i.e., from 22.04.2014 within a stipulated period as fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu
For Respondents : Mr.G.Kasinathadurai
Standing Counsel

O R D E R

The petitioner has filed the present Writ Petition seeking a direction to the respondents to sanction her family pension with arrears from the date of death of her husband i.e., from 22.04.2014.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondents.

3. The grievance of the petitioner is that she was a divorcee and subsequently got married to one Subbiah, who was also a divorcee and worked under the second respondent as Foreman Grade-I in Kadayanallur Section and retired from service on 30.11.2007 on attaining the age of superannuation. Till his death, he received pension and thereafter, the petitioner, being the legally wedded



wife, sent several representations seeking family pension and the same have not been so far considered, which necessitated the petitioner to file the present Writ Petition.

4. The learned Standing Counsel appearing on behalf of the respondents would submit that to sanction family pension, some documents are sought to be required and on furnishing the same, appropriate orders would be passed on the representation of the petitioner on merits, within the time stipulated by this Court.

5. Such statement is refuted by the learned counsel for the petitioner, who submits that necessary documents, as sought for, had already been given to the respondents.

6. In such circumstances, having regard to the submissions made by the learned counsel on either side, without going into the merits of the case pleaded by the petitioner, a direction is issued to the respondents to consider the representation of the petitioner dated 16.12.2015 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs. Consequently, connected W.M.P.(MD)No.15371 of 2016 stands closed.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate
(SR-57231[F] dated 28/03/2019)

Order made in
W.P. [MD]No.3638 of 2016
Dated: 26.03.2019

(2/2)

SML
ES/22.04.2019/2P/2C