



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P.[MD]No.3636 of 2016

and

W.M.P. (MD)No.15369 of 2016

Pappa

: 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 from the date of death of her husband i.e., from 17.03.2013 with arrears and other monetary benefits within a stipulated period as fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.G.Kasinathadurai

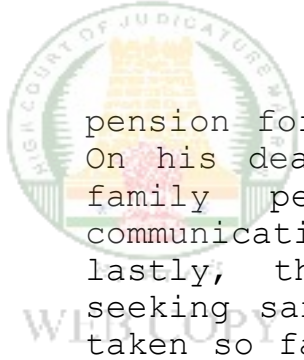
Standing Counsel

O R D E R

The petitioner has filed the present Writ Petition seeking a direction to the respondents to sanction family pension to her from the date of death of her husband i.e., from 17.03.2013 with arrears and other monetary benefits.

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 the husband of the petitioner earlier married one Thanga Nachiar, who is none other than the sister of the petitioner and on completion of his service as Line Inspector at Kayathar Section under the second respondent, he retired from service on 28.02.2002. After retirement, he received



pension for about ten years and on 16.03.2013, he has passed away. On his death, the petitioner made several representations seeking family pension. However, after periodical proceedings and communications, no fruitful result is forthcoming. Thereafter, lastly, the petitioner made a representation dated 02.11.2015 seeking sanction of family pension. Even then, no steps have been taken so far on the representation. Hence, the petitioner is before this Court.

4. The learned Standing Counsel appearing on behalf of the respondents would submit that appropriate orders would be passed on the representation of the petitioner dated 02.11.2015 on merits, within the time stipulated by this Court.

5. Considering the facts and circumstances of the case and also having regard to the submission made by the learned Standing Counsel appearing on behalf of the respondents, 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 02.11.2015 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.

6. The Writ Petition stands disposed of with the above direction. No costs. Consequently, connected W.M.P.(MD)No.15369 of 2016 stands closed.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate
(SR-57232[F] dated 28/03/2019)

+1 CC to M/s.G.KASINATHA DURAI, Advocate
(SR-57513[F] dated 28/03/2019)

Order made in
W.P.[MD]No.3636 of 2016
Dated: **26.03.2019**
(1/2)