



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.23336 of 2016

and

W.M.P. (MD) No.16767 of 2016

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V.Chandrika

... Petitioner

vs.

- 1) The Secretary to Government,
School Education Department,
Saint George Fort, Chennai.
- 2) The Directorate of Pension,
259, Anna Salai 3rd Block,
II Floor, D.M.S.Campus,
Teynampet, Chennai
- 3) The Directorate of School Education,
Chennai.
- 4) The Chief Educational Officer,
Kanyakumari District,
Nagercoil.
- 5) The District Educational Officer,
Kanyakumari District.
- 6) S.Chellammal

... Respondents

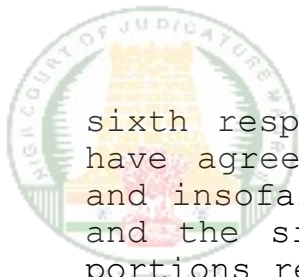
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records in Letter No.Oo.Mu.018684/2016/Ee2/ dated 16.09.2016 on the file of the 2nd respondent and quash the same as it is illegal and injustice and consequently direct the respondents 1 to 5 to grant the entire family pension of the petitioner's husband (PPO No.A852583/Edn) or in the alternative grant half of the family pension to the petitioner and the 6th respondent equally.

For Petitioner	:	Mr.N.Sivakumar
For RR 1 to 5	:	Mr.M.Karuppasamy, Government Advocate
For R-6	:	Mr.A.Sankarasubramanian

O R D E R

Owing to the obstructions raised by the petitioner, the family pension could not be disbursed to the sixth respondent, who is the wife of the deceased employee Ravindran. Such a decision is now challenged in the present writ petition.

2. Today, when the case was called, the learned counsel for the petitioner submitted that though both the petitioner as well as the



sixth respondent have compromised their indifference, whereby they have agreed to divide the family pension equally among themselves and insofar as the accumulated pension is concerned, the petitioner and the sixth respondent would divide the same in 2/5th and 3/5th portions respectively.

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3. In the light of the compromise arrived at by the sixth respondent and the petitioner, the petitioner is granted liberty to approach the second respondent with appropriate representation for releasing of the family pension as well as the accumulated pension and in receipt of such representation, the second respondent herein shall take into account the compromise arrived between the parties and take further course of action atleast within a period of two (02) weeks from the date of receipt of the petitioner's representation along with a copy of this order.

4. With the above directions, this Writ Petition is disposed of accordingly. No costs. Consequently, connected W.M.P.(MD) No.16767 of 2016 is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Sts

Encl: Xerox copy of Joint Compromise Memo

To

- 1) The Secretary to Government,
School Education Department,
Saint George Fort, Chennai.
 - 2) The Directorate of Pension,
259, Anna Salai 3rd Block,
II Floor, D.M.S.Campus,
Teynampet, Chennai
 - 3) The Directorate of School Education,
Chennai.
 - 4) The Chief Educational Officer,
Kanyakumari District, Nagercoil.
 - 5) The District Educational Officer,
Kanyakumari District.
- +2cc's to M/S.N.Sivakumar, Advocate, Sr.No.104002
+1cc to Special Govt. Pleader, Sr.No.103809

Order made in

W.P. (MD) No.23336 of 2016

Dated: 05.12.2019

sma/30/12/2019/2p/9c