

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :21.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.12654 of 2013

M.Basheerunnisa

.. Petitioner

- Vs -

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Public (Special B) Department, Fort St. George,
Chennai 600 009.
2. The Accountant General of Tamil Nadu,
NO.361, Teynampet,
Anna salai, Chennai.
3. The Secretary to Government,
Department of Revenue,
Fort St. George,
Chennai 600 009.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, to direct the respondents to pay to the petitioner the arrears of family pension payable to R.Munnavar Sultana Begum the deceased step mother of the Petitioner from 02.08.1991 till 04.10.2011 with interest.

For Petitioner : Swathi Subramaniam for
M/S.R.Prem Narayan

For Respondents : Mr.PChinnadurai, A.G.P., for RR1 & 3
: M/S. J.Sree vidya for R2

ORDER

The writ petition was filed by the petitioner, to direct the respondents to pay to the petitioner the arrears of family pension payable to R.Munnavar Sultana Begum the deceased step mother of the Petitioner from 02.08.1991 till 04.10.2011 with interest.

2.The case of the petitioner is that the petitioner's mother predeceased her father one Mr.A.Mohammed Sheriff. After the death of her mother, her father married one R.Munnavar Sultana Begum in the year 1982, and through the said wedlock, no children was born. According to the petitioner, the petitioner's father was working as District Revenue Officer in the Personnel and Administrative Reforms Department, Chennai and compulsorily retired from service on 07.12.1979 and thereafter died on 11.01.1985. After the death of her father, the petitioner and her step mother one R.Munnavar Sultana Begum got equal share from her father's family pension and subsequently the petitioner's stepmother passed away in the year 2011. After the death of petitioner's stepmother, the petitioner is entitled to receive her stepmother's share of pension. Hence the petitioner made a representation on 01.02.2013 and till date no order was passed. Hence the present writ petition.

3.Learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation dated 01.02.2013 as per Rule 49 of the Tamil Nadu Pension Rules, within a reasonable time as fixed by this Court, if not disposed already.

4.On the above contention, this Court heard the learned Additional Government Pleader, appearing for the respondents, who has no objection to the same.

5. In view of the limited relief sought for, without going into the merits of the issue, this Court directs the 1st respondent to consider the representation made by the petitioner in accordance with law and pass orders thereon within a period of three months from the date of receipt of a copy of this order, if not considered already.

6. With the above direction, this writ petition is disposed off. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1.The Secretary to Government,
Public (Special B) Department,State of Tamil Nadu
Fort St. George,
Chennai 600 009.

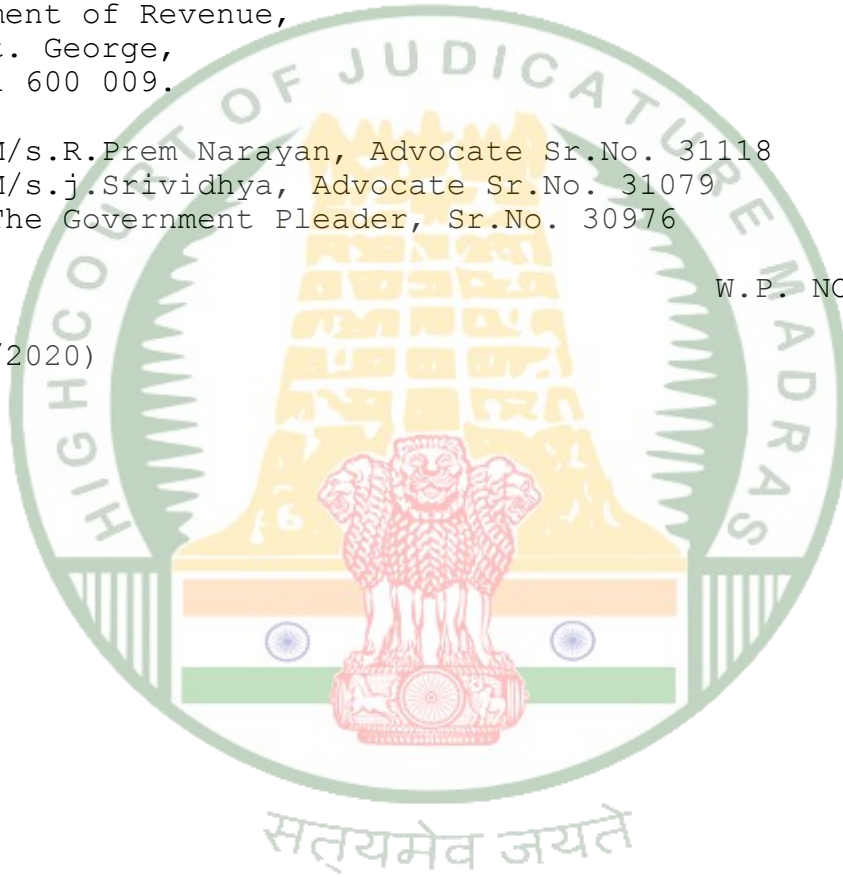
2.The Accountant General of Tamil Nadu,
NO.361, Teynampet,
Anna salai, Chennai.

3.The Secretary to Government,
Department of Revenue,
Fort St. George,
Chennai 600 009.

+1 cc to M/s.R.Prem Narayan, Advocate Sr.No. 31118
+1 cc to M/s.j.Srividhya, Advocate Sr.No. 31079
+1 cc to The Government Pleader, Sr.No. 30976

W.P. NO.12654/2013

AJS (CO)
RMP (02/11/2020)



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