

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.2260 of 2020

Tmt.K.Ayyapponnu

... Petitioner

.Vs.

1. Government of Tamil Nadu,
The Principal Secretary to Government
Environment and Forest Department,
Secretariat, Chennai 600 009.

2. The Principal Chief Conservator of Forests
and Head of the Department,
Chennai 600 015.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to forthwith pay the petitioner the amounts accrued to the petitioner's husband towards encashment of his earned leave and unearned leave on private affairs and to consider the claim of the petitioner for relaxation of Rule 21 of the Tamil Nadu Pension Rules for grant of Family pension to the petitioner or in the alternative to grant compassionate allowance under Rule 40 in the light of representations dated 23.09.2019 and 15.12.2019.

For Petitioner : Mr.S.Senthil

For Respondents: Mr.K.J.Shiva Kumar

Additional Government Pleader
for respondents

ORDER

This writ petition has been filed for the issue of writ of Mandamus, directing the respondents to pay the petitioner the amount due towards encashment of earned leave and unearned leave on private affairs and also to grant compassionate allowances

2. The husband of the petitioner was working as a Forest Range Officer and he was dismissed from service by the 2nd respondent by his proceedings dated 06.03.2019. He died in the year 2010, leaving behind the petitioner and four children.

3. The grievance of the petitioner is that the encashment of earned leave and unearned leave on private affairs that is due and payable has not been settled till date and the petitioner has also made a claim for compassionate allowance. The petitioner submitted representations dated 23.09.2019 and 15.12.2019 to the 2nd respondent in this regard. Since the same has not been considered by the respondents, the present writ petition has been filed before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the representations made by the petitioner on 23.09.2019 and 15.12.2019 and pass orders, strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with copy of representations dated 23.09.2019 and 15.12.2019 and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. Government of Tamil Nadu,
The Principal Secretary to Government
Environment and Forest Department,
Secretariat, Chennai 600 009.
2. The Principal Chief Conservator of Forests
and Head of the Department,
Chennai 600 015.

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SSV(CO)
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