

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 30.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.20404 of 2018

Tmt.A.Mehrunnisa

...Petitioner

Vs

The Accounts Officer (Pension),
Chennai Port Trust,
Chennai - 1.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent to consider and dispose of representation of the petitioner dated 01.02.2018 and subsequent reminder dated 10.07.2018 and further direct the respondent to disburse the remaining pension arrears amount due to the petitioner on the death of her husband for the period of 2009 to 2017.

For Petitioner : Mr.N.Ramanujam

For Respondent : Mr.K.Arun Pradeesh
for M/s AAV Partners

O R D E R

This writ petition has been filed for the issue of a writ of mandamus, directing the respondent to consider the representation made by the petitioner on 10.07.2018 and pay the remaining arrears within a time fixed by this Court.

2.The case of the petitioner is that the husband of the petitioner was employed in the Chennai Port Trust as a Maistry in the Civil Engineering Department. He died on 21.11.2009. According to the petitioner, the 1st wife of the deceased employee had died in the year 2015 and the petitioner is the only legal heir of the deceased employee and therefore, she is claiming for pension payable from the date of the death of her husband in the year 2009. The further case of the petitioner is that the respondent had paid only a part of the pension arrears in the year 2017 and the entire balance pension arrears for the period from 2009 to 2017 was not settled. The petitioner

therefore made a representation to the respondent on 01.02.2018 and 10.07.2018 claiming for the disbursal of the remaining pension arrears. Since the same was not considered, the present writ petition has been filed seeking for appropriate direction.

3.Heard Mr.N.Ramanujam, learned counsel for the petitioner and Mr.K.Arun Pradeesh, learned counsel for the respondent.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in the writ petition, there shall be a direction to the respondent to consider the representations made by the petitioner on 01.02.2018 and 10.07.2018 and pass appropriate orders strictly in accordance with law within a period of 6 weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondent along with a copy of the representations dated 01.02.2018 and 10.07.2018 and a copy of this order. The petitioner is also directed to mark a copy of the representations to the Chennai Port Trust, in order to enable the Chennai Port Trust to give necessary particulars to the respondent.

5.This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

The Accounts Officer (Pension),
Chennai Port Trust,
Chennai - 1.

+2cc to Mr.N.Ramanujam, Advocate sr.7050

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mp(co)
nr 05/02/2020