



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **07.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.26230 of 2019

and

W.M.P. (MD) Nos.22655 & 22656 of 2019

K.Balammal

... Petitioner

/vs./

The Senior Accounts Officer,
Office of the Accountant General,
(Accounts & Entitlements) Tamilnadu,
361, Anna Salai,
Chennnai - 18.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the orders passed by the respondent in his proceedings Pen19/V/AG Complaint/22601724 dated 12.10.2018 and quash the same and consequently, direct the respondent to disburse the family pension to the petitioner by adverting to the order passed in succession original petition No.1 of 2016 passed by the District Munsif cum Judicial Magistrate, Shencottah dated 21.07.2017.

For Petitioner : Mr.N.Sankar Ganesh
For Respondent : Mr.P.Gunasekaran

ORDER

This Writ Petition is filed to quash the order passed by the respondent in his proceedings in Pen19/V/AG Complaint/22601724 dated 12.10.2018 and to direct the respondent to disburse the family pension to the petitioner.

2.The petitioner herein seeks family pension on the ground that she is the second wife of late Kasi. She has also given a representation in this regard on 24.09.2019 to the respondent. The petitioner's representation dated 24.09.2019 has been acted upon by the respondent through a letter dated 12.10.2018, wherein, the petitioner was called upon to prove her marriage with late Kasi and the FIR copy with regard to the missing of her husband's first wife or a declaration of the Court that she is deemed to have died.



3.In view of the above, the petitioner is at liberty to furnish such documents sought for by the respondent as expeditiously as possible and on receipt of such document, the respondent herein shall consider the petitioner's representation dated 24.09.2019 on its own merits and in accordance with law within a period of 8 weeks from the date of receipt of such documents.

4.Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

The Senior Accounts Officer,
Office of the Accountant General,
(Accounts & Entitlements) Tamilnadu,
361, Anna Salai,
Chennnai - 18.

+1 CC to M/s.N.SHANGAR GANESH, Advocate (SR-753[F] 08/01/2020)
+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-896[F] dated 08/01/2020)

W.P. (MD) No.26230 of 2019
07.01.2020

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SDS (24.01.2020) 2P-4C