

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.25128 of 2016

D.Soosaiammal

... Petitioner

Vs.

The Chief Accounts Officer,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

.... Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 20.04.2016 seeking sanction of family pension to the petitioner within a time to be stipulated by this Court.

For Petitioner : Mr.L.Ramkumar

For Respondent : Mr.R.Bharath Kumar

ORDER

This writ petition has been filed by the petitioner seeking a direction to the respondent to consider her representation dated 20.04.2016 and sanction family pension within a time frame to be fixed by this Court.

2.According to the petitioner, her husband by name A.Devadoss worked as Head Mazdoor in Tamil Nadu Housing Board and retired from service on 31.12.2009; and he was getting pension from the Board from the year 2009 vide PPO No.3179. While so, he died on 19.03.2014 leaving behind the petitioner and daughter as his legal heirs. The petitioner further stated that her husband earlier married to one Mariammal during 1973 and there was no issue out of the said wedlock; and after her death in 1979, he married the petitioner on 21.02.1980 and they have one daughter Josephine Marry, who was married on 17.01.2012. Initially, the petitioner was sanctioned family pension, but after few months, she was not receiving the same. The petitioner sent several representations to the respondent to

disburse family pension, which were not considered. On enquiry, it was informed that her husband nominated the daughter to receive his benefits. So, she made a representation dated 20.04.2016 seeking family pension, enclosing an affidavit of no objection given by her daughter, enabling the respondent to consider her claim. However, no action was taken on the said representation. Hence, this writ petition.

3.Heard both sides and perused the documents placed before this Court.

4.Considering the limited relief sought herein, this Court directs the respondent to conduct enquiry on the representation of the petitioner dated 20.04.2016 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of four weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

vrc

To

The Chief Accounts Officer,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

+1cc to Mr.L.Ramkumar, Advocate, S.R.No.17388

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CP (CO)
RLP (13.07.2021)