



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.15690/2021

[Video Conferencing]

V.Srinivasan

.. Petitioner

Vs

1.The Principal Secretary to Government
Commissioner of Revenue Administration
Chepauk, Chennai 600 005.

2.The Principal Secretary to Government
Finance [Pension] Department
Fort St George, Chennai 600 009.

3.The Commissioner of Treasury & Accounts
Saidapet, Chennai 600 015.

4.The Accountant General
Teynampet, Chennai 600 018.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents more particularly the 2nd respondent to consider the representation dated 13.06.2020 of the petitioner in which he had requested for sanction of Family Pension to his daughter Tmt.S.Vadivu.

For Petitioner : Mr.V.Srinivasan
Party-in-Person

For Respondents : Mr. C.Kathiravan
Government Advocate



ORDER

1. By consent, the writ petition is taken up for final disposal and disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondents.
3. The petitioner/party-in-person has filed the present writ petition seeking for a mandamus to direct the 2nd respondent to consider his representation dated 13.06.2020 seeking sanction of Family Pension to his daughter Tmt.S.Vadivu.
4. The case of the petitioner/party-in-person is that he retired from the service as Deputy Collector from the post of District Backward Classes and Ministries Welfare Officer, Chennai, on 30.06.2002 on superannuation. It is admitted that he is drawing pension. He states that he had divorced his wife Tmt.R.Dhanam who was earlier nominated by him for receipt of the Family Pension in the event of his death and now, the petitioner/party-in-person wants to nominate his daughter Vadivu who is aged about 25 years as the Nominee in the place of Tmt.R.Dhanam for getting the Family Pension after his demise. In this regard, a representation dated 13.06.2020 has been sent by the petitioner/party-in-person to the 2nd respondent requesting the said official to permit the petitioner to nominate his daughter Tmt.S.Vadivu, for receiving Family Pension in the event of his death. Stating that the said representation has not been considered by the 2nd respondent, the petitioner is constrained to approach this Court by filing this writ petition.
5. This Court heard the rival submissions and also perused the materials placed before it.
6. This Court is not inclined to go into the aspect of the entitlement of the petitioner's daughter to get Family Pension. However, this writ petition is disposed of in the following lines:-

Considering the limited scope of prayer sought for by the petitioner/party-in-person and without expressing any opinion on the merits of the petitioner/party-in-person's representation or the case projected by him in this writ petition, directs the 2nd respondent to consider and dispose of the petitioner/ party-in-person's representation dated 13.06.2020 on merits and in accordance with law and pass orders within a



period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner/ party-in-person herein.

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7. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Principal Secretary to Government
Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.
- 2.The Principal Secretary to Government
Finance [Pension] Department,
Fort St George, Chennai 600 009.
- 3.The Commissioner of Treasury & Accounts,
Saidapet, Chennai 600 015.
- 4.The Accountant General,
Teynampet, Chennai 600 018.

+1cc to Government Pleader Sr No.36943
+3ccs to V.Srinivasan, Sr No.39137 (27/09/2021)

WP.No.15690/2021

AD (CO)
PR (26/08/2021)