



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.17340 OF 2020

(THROUGH VIDEO CONFERENCING)

Tmt.Puttammal

... Petitioner

Vs

1. Government of Tamil Nadu,
Represented by its Principal Secretary,
Animal Husbandry, Dairying and
Fisheries (AHS) Department,
Secretariat, Chennai - 9.
2. The Deputy Director of Animal Husbandry,
District Livestock Farm,
Hosur, Krishnagiri District - 635 110.
3. The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai - 18.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider the proposal of the second respondent in his Letter Na.Ka.No.418/B1/2016 dated 20.12.2019 regarding grant of Family Pension to the petitioner herein instead of Ex-Gratia payment.

For Petitioner : M/s.T.Dharani

For Respondents :

For R1 & R2 : Mr.L.S.M.Hasan Fizal
Government Advocate

For R3 : Mr.Vijay Narayan



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ORDER

This writ petition has been filed to direct the respondents to consider the proposal of the second respondent in Na.Ka.No.418/B1/2016 dated 20.12.2019 regarding grant of Family Pension to the petitioner instead of Ex-Gratia payment.

2. In paragraph 6 of the counter affidavit, the second respondent has stated as follows:-

"6. It is submitted that as per the provisions of District Office Manual, the pay bills, acquittance rolls and Service Registers of Government servants can only be retained upto 35 years and thereafter the same are to be destroyed. Accordingly, the service records of the said K.Krishnan were destroyed and hence the particulars called for by the Accountant General (A&E), Tamil Nadu, Chennai could not be furnished. However, on the basis of the order granting Ex-Gratia payment and available records, a duplicate Service Register was prepared and required entries were made therein with available records. Thereafter, the proposal for conversion of Ex-Gratia into Family Pension to the petitioner herein was forwarded to the Accountant General (A&E), Tamil Nadu, Chennai vide this Officer Lr.Na.Ka.No.418/B1/2016 dated 20.12.2019 and the said proposal is now under consideration by the 3rd respondent herein."

3. Considering the fact that the petitioner is aged about 65 years and the pension papers are pending consideration before the third respondent, the third respondent is directed to process the family pension papers of the petitioner within a period of four weeks from the date of receipt of a copy of this order and take steps to start paying family pension to the petitioner from 1st of December 2021.

4. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

arb



To

1. The Principal Secretary,
Government of Tamil Nadu,
Animal Husbandry, Dairying and
Fisheries (AHS) Department,
Secretariat, Chennai - 9.
2. The Deputy Director of Animal Husbandry,
District Livestock Farm,
Hosur, Krishnagiri District - 635 110.
3. The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai - 18.

+1cc to M/s.T.Dharani, Advocate, S.R.No.50674

W.P.No.17340 of 2020

SS(CO)
RLP(26/10/2021)