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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.17344 OF 2020

(THROUGH VIDEO CONFERENCING)

Tmt.Ellamma

... 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 sanction family pension instead of Ex-Gratia payment from the date of sanction of Ex-Gratia payment to the petitioner.

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 sanction family pension instead of Ex-Gratia payment from the date of sanction of Ex-Gratia payment to the petitioner.

2. In Paragraph 8 of the counter affidavit, the second respondent has stated as follows:-

"8. It is submitted that if the petitioner submits her representation with the particulars, this respondent will forward the same to the Accountant General (A&E), Tamil Nadu, Chennai and further action will be taken on the basis of the directions to be issued by the Accountant General of Tamil Nadu. Since the documents relating to the service rendered by the petitioner's husband were destroyed after keeping the same for 35 years as per the provisions of the District Office Manual, this respondent is unable to take action to convert the Ex-gratia payment into Family Pension."

3. Considering the fact that the petitioner is aged about 83 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.50675

W.P.No.17344 of 2020

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