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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21019 of 2021
(Through Video Conferencing)

S.Swarna Paarvathy ... Petitioner

Vs

1.The Principal Accountant General A & E Tamil Nadu,
No.361, Anna Salai,
Chennai - 600 018.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

3.The Dean,
Madras Medical College,
Chennai - 600 003.

4.The Director and Superintendent,
Regional Institution of Ophthalmology and
Government Ophthalmology Hospital,
Chennai - 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to forward the family pension proposal to the first respondent with the available particulars and on receipt of the same directing the first respondent to sanction and pay the family pension to the petitioner.

For Petitioner : Mr.S.V.Manisekaran

For Respondents:

For R1 : Ms.Sangamithirai

For R2 to R4 : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

It is the case of the petitioner that the petitioner's father was a Government employee and was recipient of Government



pension, who retired on 31.01.1987, receiving pension with effect from 01.02.1987. It is further case of the petitioner that the petitioner's father passed away on 17.04.2015 and the petitioner's mother has also pre-deceased on 01.02.2012.

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2. It is the case of the petitioner that the petitioner is a divorcee and therefore is entitled to pension as per the schemes applicable to the daughters of the deceased pensioners.

3. Appearing on behalf of the first respondent, the learned counsel submits that the papers have to be scrutinized by the second respondent. Unless the same is done, the first respondent will pay the pension.

4. The learned Government Advocate for the second to fourth respondents submits that the petitioner has given a representation dated 05.08.2021. He submits that the aforesaid representation of the petitioner will be considered and appropriate orders will be passed within a period of eight weeks from the date of receipt of a copy of this order.

5. As the order has been passed only by the second respondent to start paying pension, the second respondent is directed to consider the representation of the petitioner and dispose the same within the aforesaid period in accordance with law and on merits after considering the available records.

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

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Arb

To

1.The Principal Accountant General A & E Tamil Nadu,
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Chennai - 600 018.

2.The Director of Medical Education,
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+1cc to Mr.V.Manisekaran, Advocate, S.R.No. 50800
+1cc to the Government Pleader, S.R.No. 51584

W.P.No.21019 of 2021

KJ(CO)
GN(21/10/2021)