



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.12.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.4835 of 2018

N.Leelavathy

...Petitioner

/Vs./

1.The Principal Accountant General (A&E),
261, Anna Salai, Chennai 600 018.

2.The Salary Accounts Officer,
Salary Accounts Office (East),
Chennai 600 008.

3.The Treasury Officer,
Thanjavur.

4.The Registrar of Co-operative Societies,
Kilpauk, Chennai 600 010.

5.The Registrar of Co-operative Societies (Housing),
Tamil Nadu Co-operative Combined Complex,
2nd Floor, No.48, Rittiherton Road,
Vepery, Chennai 600 007.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to pay all the arrears of pensions, death cum retirement benefits, provident funds, gratuity and other benefits with applicable interest due thereon and payable to the deceased R.S.Natarajan to the petitioner within a stipulated time frame that may be fixed by this Court.

For Petitioner	: Mr.Shangar Murali
For R1	: Mr.P.Gunasekaran
For R2 to R5	: Mr.K.S.Selvaganesan
	Standing Counsel for State

ORDER

Read this order in conjunction with the order dated 10.11.2021, that reads as follows:

"The petitioner, who was 65 years at the time of filing of the writ petition, seeks a Mandamus directing the respondents (i.e.,) Principal Accountant General (A & E)/R1, Salary Accounts Officer/R2, Treasury Officer/R3, Registrar of Co-operative Societies/R4, Registrar



of Co-operative Societies (Housing)/R5 to pay all the arrears of pension, Death cum Retirement Benefits [DCRB], provident fund, gratuity and other benefits with interest applicable thereupon, as payable to her husband namely R.S.Natarajan, who passed away on 25.01.2015.

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2. The matter had come up for admission on 07.03.2018, where, it appears, that the respondent had admitted to the outstanding dues and also undertaken that the amount due would be settled to the petitioner at the earliest. Thereafter, she was asked by the second respondent to re-validate both halves of Family Pension Order which was duly done on 24.05.2018.

3. Though the re-validated family pension order was produced before the third respondent who is the proper authority to make disbursement, there was no action from his side. A legal notice thus came to be issued by the petitioner on 30.06.2018 to R1 to R3.

4. A reply has been furnished by R3 on 05.07.2018 wherein he assures the petitioner that the amounts outstanding would be settled at the earliest. Despite a lapse of more than three years from the date of aforesaid communication, the proceedings remain status quo as on date. This is indeed an unfortunate situation.

5. In light of the admitted position as narrated above, Mandamus is issued to respondent Nos.1 and 3 to do the needful for re-validating the family pension order and disburse the outstandings. The aforesaid exercise be completed within three weeks from date of uploading of this order in the official website of this Court.

6. List the matter on 06.12.2021 under the caption "for reporting compliance", failing which, R1 and R3 be present in Court."

2.Mr.Shangar Murali, learned counsel for the petitioner would confirm the position as put forth by Mr.K.S.Selvaganesan and Mr.P.Gunasekaran, learned counsel appearing for the respondents to the effect that all pensionary benefits as well as family pension have been credited to the petitioner's bank account, in compliance with the order dated 10.11.2021. Proceedings in RC.386/2019/M1 dated 04.12.2021 from the office of the Treasury is also placed on file to similar effect.



3. Recording the aforesaid, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Salary Accounts Officer,
Salary Accounts Office (East),
Chennai 600 008.
- 2.The Treasury Officer,
Thanjavur.
- 3.The Registrar of Co-operative Societies,
Kilpauk, Chennai 600 010.
- 4.The Registrar of Co-operative Societies (Housing),
Tamil Nadu Co-operative Combined Complex,
2nd Floor, No.48, Rittiherton Road,
Vepery, Chennai 600 007.

Copy to

The Principal Accountant General (A&E),
261, Anna Salai, Chennai 600 018.

+1 CC to M/s.SPL GP (SR-37919[F] dated 09/12/2021)

W.P. (MD) No.4835 of 2018
08.12.2021

RS (CO)
KB(23.12.2021) 3P 7C