



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.9511 of 2014

P. Umamaheswari

.. Petitioner

Vs.

1.The Director,
Directorate of Pension,
259, 3rd Block - 2nd Floor, Annasalai,
DMS Campus, Teynampet,
Chennai - 600 006.

2.The Manager, Indian Overseas Bank,
Tenampet Branch, DMS Office Campus,
Chennai - 600 006.

3.The Manager, State Bank of India,
Tenkasi Branch, Tenkasi,
Tirunelveli District.

..Respondents

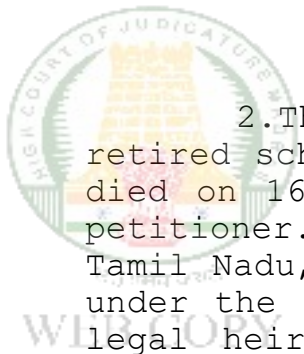
(R2 and R3 impleaded as per order dated 22.07.2014 in M.P.No.1/14)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondents to re-issue the amount of Rs.35,000/- towards the lump sum grant under the Tamil Nadu Government Pensioners Family Security Fund Scheme to the petitioner, based on the petitioner's representations dated 31.08.2013 and 30.11.2013 within the time stipulated by this Court.

For Petitioner	:	M/S. Mohamed Sher Budeen
For R1	:	Mr. M.Linga Durai Government Advocate
For R2 & R3	:	No Appearance

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents to re-issue the amount of Rs.35,000/- toward the lump sum grant under the Tamil Nadu Government Pensioners Family Security Fund Scheme to the petitioner.



2.The petitioner's mother viz., Mrs.Seethalakshmi, is a retired school teacher. It is admitted that the petitioner's mother died on 16.01.2013. The death certificate is also produced by the petitioner. It is the case of the petitioner that the Government of Tamil Nadu, deducted a sum of Rs.80/- per month from the pensioners under the family security fund scheme. If the pensioner died, the legal heirs of the said pensioner is entitled to get a sum of Rs.35,000/- under the said scheme. It is the specific case of the petitioner that the petitioner's mother had also contributed for the said scheme. After the death of the petitioner's mother, a cheque was also sent to the petitioner for a sum of Rs.35,000/-. When the cheque was presented for encashment, the bank returned the cheque by an endorsement that the amount was already paid. Hence, the petitioner returned the cheque to the respondents with the request to send the money. A representation was also submitted on 30.11.2013 by the petitioner to the first respondent. However, there was no response from the respondents. The cheque amount was not reimbursed, despite the cheque was returned for no fault of the petitioner.

3.The learned Counsel appearing for the petitioner states that it would suffice, if the representation of the petitioner is directed to be considered by the first respondent within a time stipulated by this Court.

4.Having regard to the limited scope of the prayer that is now sought for by the petitioner before this Court, without expressing any opinion on the merits of the representation of the petitioner, this court directs the first respondent to consider the representation of the petitioner dated 30.11.2013 and dispose of the same and pass appropriate orders on merits and in accordance with law or act on the basis of such representation, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

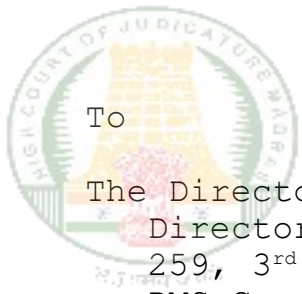
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/ /2021

Sub Assistant Registrar(CS)

NS

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

The Director,
Directorate of Pension,
259, 3rd Block - 2nd Floor, Annasalai,
DMS Campus, Teynampet,
Chennai - 600 006.

+1 CC to M/s.SPL GP (SR-28351[F] dated 07/09/2021)

W.P. (MD) .No.9511 of 2014
03.09.2021

SRK(CO)
KB(22.09.2021) 3P 3C