



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.19530 of 2017

A.Gandhimathi @ Rejinameri

... Petitioner

Vs.

1.The Superintending Engineer,
TWAD Board,
S.R.Circle,
Sivagangai.

2.The Managing Director,
TWAD Board,
31, Kamarajar Salai,
Chepauk,
Chennai-5.

3.A.Mariyaselvam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 & 2 respondents herein to pay the pension to the petitioner as nominee/wife of the pensioner's/deceased husband as per the pension payment order book of the petitioner's/deceased husband along with the past 10 months arrears of pension with in the time stipulated by this Court.

For Petitioners	: Mr.K.P.Ramesh
For R1 & R2	: Mrs.Porkodi Kannan Standing Counsel
For R3	: Mr.S.Mahalingam (No appearance)

O R D E R

This writ petition has been filed for a direction to the first and second respondents to pay the pension to the petitioner as nominee/wife of the pensioner's/deceased husband, as per the pension payment order book of the petitioner's/deceased husband along with the past 10 months arrears of pension.

2.The case of the petitioner is that she married one Abraham in the year 1979 and her husband was working as Work Inspector under the first respondent. Thereafter, the petitioner's husband was voluntarily retired from service on 30.09.2002. The petitioner's husband died in the year 2016 leaving behind the petitioner as his legal heir. As the petitioner is the nominee of the deceased Government Servant, she made an application for settlement of terminal benefits. However, the respondents rejected the petitioner's request and stating that to produce the legal heir



certificate from the Revenue Officials. Hence, the present Writ Petition is filed.

3.The learned counsel appearing for the petitioner would submit that during the pendency of the writ petition, the writ petitioner has passed away and hence, this Court may issue a direction to the respondents to consider the petitioner's representation, dated 17.07.2017, after hearing the interested persons including the legal heir of the writ petitioner within the stipulated time as fixed by this Court.

4.The learned Standing Counsel appearing for the first and second respondents would submit that she has no serious objection for considering the petitioner's representation.

5.Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the case, direct the first and the second respondents to consider the petitioner's representation, dated 17.07.2017 and pass appropriate orders on merits and in accordance with law, after hearing the legal heirs of the deceased writ petitioner, within a period of twelve weeks from the date of receipt of a copy of this order, if not disposed of already.

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

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Superintending Engineer,
TWAD Board,
S.R.Circle,
Sivagangai.

2.The Managing Director,
TWAD Board,
31, Kamarajar Salai,
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