



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4752 of 2020

Mrs.S.Banumathi

.. Petitioner

vs.

1. The Director,
Highways Research Station,
Guindy, Chennai-600 025.

2. The Office of the Principal Accountant,
General (Accounts & Entitlement),
No.361, Anna Salai,
Chennai-600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records in impugned order in Letter No.3091/2019/A5 dated 10.12.2019 issued by the first respondent and quash the same and direct the respondents to sanction family pension (PP No.R2711595) of the petitioner's husband, namely Mr.K.G.Shankar Singh (late) to the petitioner.

For Petitioner : M/s.T.Ramadevi

For Respondents : Mr.V.Manoharan,
Additional Government Pleader for R1

O R D E R

The petitioner, challenging the impugned order of the first respondent dated 10.12.2019, in and by which her claim for sanction of Family Pension came to be rejected, has filed the present writ petition.

2. It is the case of the petitioner that her husband, namely K.G.Sankar Singh worked as Driver in the Director Highways Research Station, Guindy, Chennai-600 025 and attained the age of superannuation on 31.05.2014 and was drawing family pension and thereafter, he died due to illness on 05.06.2017, leaving behind the petitioner as his legally wedded wife. The



petitioner's husband was earlier married to one S.Kalavathy and out of their wedlock, one girl child was born and thereafter, on 17.04.1996, the said Kalavathy died and thereafter, her husband married her and it is a valid marriage and therefore, the reasons stated in the impugned order are not correct and requires reconsideration.

3. The first respondent has filed a counter affidavit wherein it has been stated that the first respondent, vide letter dated 12.03.2020 informed the petitioner to submit all the relevant documents for onward transmission to the second respondent and on submission of the said documents by the petitioner, the same will be forwarded to the second respondent for further action.

4. The learned counsel for the petitioner submitted that all the relevant documents were already submitted by the petitioner to the office of the first respondent.

5. In view of the categorical stand taken by the first respondent in the counter affidavit, this Court permits the petitioner to submit any additional documents, if any, to the first respondent within a period of one week from the date of receipt of a copy of the same and on such submission, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after giving opportunity to the petitioner and persons concerned, within a period of twelve weeks thereafter.

6. The Writ Petition stands allowed. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Director,
Highways Research Station,
Guindy, Chennai-600 025.



2. The Office of the Principal Accountant,
General (Accounts & Entitlement),
No.361, Anna Salai,
Chennai-600 002.

WEB COPY

+1cc to M/s.T.Ramadevi, Advocate, S.R.No.17274

+1cc to the Government Pleader, S.R.No.17741

W.P.No.4752 of 2020

NK(CO)
SU(21/03/2022)