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W.P. No.9642 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.9642 of 2019

G.Nalini

... Petitioner

Vs.

1.The Chairman
Chennai Port Trust,
Chennai.

2.Financial Advisor & Chief Accounts Officer,
Chennai Port Trust,
Chennai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 2nd respondent to consider and evaluate the respondents dated 1.12.2017, 20.04.2018 and 1.11.2018 for grant of pension within a time frame fixed by this Court

For Petitioner : Mr.A.Thameem Mohideen

For Respondents : Mr.K.Lavan

ORDER

The prayer sought for herein is for a writ of mandamus directing the 2nd respondent to consider and evaluate the respondents dated 01.12.2017, 20.04.2018 and 01.11.2018 for grant of pension.



W.P. No.9642 of 2019

2. The petitioner's father one Balaraman was working as Chief Accountant of the respondent Port Trust, he died on 22.10.2002.

Thereafter, the petitioner's mother one S.B.Saraswathi was getting the pension/family pension from the respondents till her demise i.e. on 05.10.2017.

3. In this context, it is the case of the petitioner that the petitioner being a widow has no other source of livelihood and therefore she would be entitled to get the family pension of her mother as both father and mother are no more. In this regard she has given a representation to the respondent organisation on 01.12.2017 and subsequently on 20.04.2018. Despite this representation was submitted, no action seems to have been taken, no orders have been passed and last such representation also which was given on 01.11.2018 is not yielded any desired result, therefore, the petitioner moved this writ petition with the aforestated prayer.

4. Heard Mr.A.Thameem Mohideen, learned counsel appearing for the petitioner who having reiterated the aforestated would seek indulgence of this Court to issue a direction to the respondent to consider



W.P. No.9642 of 2019

the representation of the petitioner and pass orders thereon and in that case she would be satisfied.

5. Heard Mr.K.Lavan, learned counsel appearing for the respondents who would submit that, every time the representation has been given only to the 2nd respondent, therefore if at all those representations have not so far been disposed by the 2nd respondent, it would be disposed of within a time frame on merits.

6. Having considered the said submissions made by both sides and taking into account of the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 2nd respondent to consider the representation submitted by the petitioner dated 01.12.2017, 20.04.2018 and 01.11.2018 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.



W.P. No.9642 of 2019

7. With this direction, this Writ Petition is disposed of. No costs.

WEB COPY

02.09.2022

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1.The Chairman
Chennai Port Trust,
Chennai.

2.Financial Advisor & Chief Accounts Officer,
Chennai Port Trust, Chennai.



WEB COPY



W.P. No.9642 of 2019

R.SURESH KUMAR, J.

Sgl

W.P. No.9642 of 2019

02.09.2022