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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.24109 of 2021

M.Muthu Barathi

... Petitioner

vs.

1. The Principal Secretary and Commissioner,
Indian Medicine and Homoeopathy,
Chennai - 600 106.
2. The Accountant General (A&E) of Tamil Nadu,
No.275, Anna Salai,
Chennai - 600 018.
3. The Pension Disbursement Officer
Ramanathapuram District.
4. The Treasury Officer
District Treasury
Ramanathapuram District.
5. The District Siddha Medicinal Officer
Government Hospital
Kadaladi, Ramanathapuram District - 623 703.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd Respondent herein, to immediately disburse of the pensionary benefits along with other allowance with interest to the Petitioner, based on the Petitioner's Application dated 12.08.2015 and final representation dated 01.03.2021 and in light of the Letter of the 5th Respondent made to 2nd Respondent vide Ref.No.1521/E/2015 dated 14.08.2015, within a stipulated time frame as fixed by this Court.

For Petitioner : Ms.M.Ezhilarasi

For Respondents : Mr.S.Prabhakaran
Government Advocate (for R1)

Ms.T.S.Selvarani
Standing Counsel (for R2)



O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent herein, to immediately disburse the pensionary benefits along with other allowance with interest to the petitioner, based on the petitioner's application dated 12.08.2015 and final representation dated 01.03.2021 and in light of the letter of the 5th respondent made to 2nd respondent vide Ref.No.1521/E/2015 dated 14.08.2015, within a stipulated time frame as fixed by this Court.

2. According to the learned counsel appearing for the petitioner, the petitioner made an application dated 12.08.2015 to disburse the pensionary benefits along with other allowance with interest to the petitioner. She also made an representation dated 01.03.2021 to the 2nd respondent to disburse the aforesaid benefits. So far, the 2nd respondent has not passed any final orders for disbursement of the aforesaid pensionary benefits and other allowance to the petitioner. Therefore, she filed the instant writ petition before this Court.

3. The learned Standing Counsel appearing for the 2nd respondent would submit that the 2nd respondent has sent a communication dated 01.03.2016 to the petitioner to furnish required documents so as to consider the petitioner's application. But the petitioner has not submitted the said particulars to the 2nd respondent. If any such particulars being received from the petitioner, the 2nd respondent will consider the request of the petitioner.

4. According to the learned counsel appearing for the petitioner, she has already submitted the said particulars to the 2nd respondent. However, she undertakes that the aforesaid additional particulars would be submitted to the 2nd respondent.

5. Recording the aforesaid statements made by the learned counsel for the parties, this Court is inclined to pass orders as follows:-

- (i) The 2nd respondent is directed to serve the said communication dated 01.03.2016 to the petitioner within a period of two weeks from the date of receipt of a copy of this order.
- (ii) On receipt of the said communication, the petitioner is directed to submit additional particulars as required by the 2nd respondent within a period of three weeks.
- (iii) Thereafter, the 2nd respondent is directed to consider and pass appropriate orders on its own merits in accordance with law, as expeditiously as possible, within a period of eight weeks.



6. With the above directions, the writ petition stands disposed of. No costs.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dm

To

1. The Principal Secretary and Commissioner,
Indian Medicine and Homoeopathy,
Chennai - 600 106.
2. The Accountant General (A&E) of Tamil Nadu,
No.275, Anna Salai,
Chennai - 600 018.
3. The Pension Disbursement Officer
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Ramanathapuram District.
5. The District Siddha Medicinal Officer
Government Hospital
Kadaladi, Ramanathapuram District - 623 703.

+1cc to Ms.M.Ezhilarasi, Advocate, S.R.No.24608
+1cc to the Government Pleader, S.R.No.24711

W.P.No.24109 of 2021

GSM[col]
NSK 25/04/2022