



WEB COPY



W.P.No.22923 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.22923 of 2022

N.Saraswathi,
W/o. M.Narayanaswamy

..Petitioner

Vs.

1. The Deputy Director/
Commissioner of Treasuries and Accounts,
O/o. Directorate of Treasuries and Accounts,
3rd Floor, Integrated Office Complex,
for Finance Department,
Veterinary Hospital Campus,
Anna Salai, Nandanam, Chennai – 600 035.
2. The Commissioner,
Greater Chennai Corporation,
RIPON Building,
Chennai – 600 003.
3. Municipality Health Officer,
Ambattur Municipality,
Municipal Administration,
Ambattur Municipality, Ambattur,
Chennai – 600 053.
4. The Zonal Officer,
Zone 7, Ambattur,
Greater Chennai Corporation,
Chennai – 600 053.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for Writ of Mandamus, directing the 4th respondent herein to provide with the details quantifying the value of pension benefits of the petitioner's husband Mr.late.Narayanaswamy who worked as Office Assistant under the third respondent herein by considering the petitioner's representation dated 16.04.2022.

For Petitioner : Mr.H.Manojin
For Respondents : Mr.P.Ganesan
Government Advocate [R1]
Ms.P.T.Ramadevi
Standing Counsel [R2 to R4]

ORDER

The prayer sought for herein is for a writ of mandamus to direct the 4th respondent herein to provide with the details quantifying the value of pension benefits of the petitioner's husband Mr.late.Narayanaswamy who worked as Office Assistant under the third respondent herein by considering the petitioner's representation dated 16.04.2022.

2. The petitioner's husband was initially working in the fourth respondent Corporation and subsequently he was posted at the respondent Chennai Corporation and after retirement he died.

3. The petitioner being the wife of the deceased employee wants to



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get the family pension benefits and in this regard, when the petitioner made a request to the respondent Corporation, the respondent Corporation seems to have instructed the petitioner to get the succession certificate and for getting the succession certificate, the petitioner filed a case before this Court, which is in the S.R. Stage, as it could not be numbered, because the Court fee has to be calculated and paid only based on the accrued amount payable to the petitioner at the hands of the employer i.e, respondent Corporation. Hence, in order to get the figure, the petitioner though has given a representation dated 16.04.2022, the same since has not been considered so far, she has approached this Court by filing the present writ petition.

4. Heard Mr.H.Manojin, learned counsel appearing for the petitioner and Ms.P.T.Ramadevi, learned Standing Counsel appearing for the respondents 2 to 4.

5. Ms.P.T.Ramadevi, learned Standing Counsel appearing for the respondents 2 to 4, on instructions, would submit that, the accrued amount in the account of the petitioner's husband to be payable to the



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petitioner after the succession certificate is obtained and produced before the respondents Corporation, would be ascertained and informed to the petitioner for the purpose of paying the Court fee in the pending case before this Court and the needful as indicated above shall be undertaken by the respondents within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by the learned Standing Counsel appearing for the respondents 2 to 4, this Court is inclined to dispose of this writ petition with the following orders:

- ◆ That there shall be a direction to the respondents Corporation to act upon the representation of the petitioner dated 16.04.2022 and communicate the exact figure of the amount accrued in the account of the petitioner's deceased husband payable to the legal heirs /petitioner on her production of the succession certificate, which she has to obtain from the Court of law within a period of four weeks from the date of receipt of a copy this order.

With this direction, this writ petition is disposed of accordingly.



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No costs.

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Index : Yes/No

Internet: Yes/No

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To

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