



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.19723 of 2020

Banumathy

... Petitioner

Vs.

1. The Director,
Director of Accounts and Treasuries,
Puducherry.
2. The Deputy Director of Accounts & Treasuries (Pension),
Directorate of Accounts and Treasuries,
Puducherry.
3. The Chief Engineer,
Central Office, PWD,
34, Lal Bahadur Sastri Street,
Puducherry - 605 001.
4. Government of Puducherry,
represented by its,
The Executive Engineer (B & R),
Buildings and Road Division,
Public Works Department,
Karaikal.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to consider the petitioner's representation dated 01.10.2020 for availing the benefits of deceased husband late.Thirunavukarasu.

For Petitioner : Mr.H.Manojin

For Respondents : Mrs.G.Djeyarany
Government Advocate (Pondicherry)

O R D E R

The relief sought for in the writ petition is for issuance of Mandamus to direct the respondents to consider the petitioner's representation dated 01.10.2020 for availing the benefits of deceased husband late.Thirunavukkarasu.



2. Brief facts of the case:

The husband of petitioner viz., Late. Thirunavukkarasu worked as overseer and got superannuation and died on 11.01.2013. After his death, the petitioner has applied for family pension. Since, the petitioner is the second wife to her husband, the respondents sought for clarification. During the course of enquiry, the petitioner informed that non alive regarding Revathi @ Renganayagaimmal, who is the first wife of her husband and descendants and also no claim made to the respondents on behalf of the late Thirunavukkarasu also. Further, the petitioner lived with her husband from 1978 to 2013 till his death. Hence, the petitioner has made a representation dated 01.10.2020 to the respondents for availing benefits of the deceased husband Thirunavukkarasu.

3. The learned counsel for the petitioner would submit that the petitioner made a representation to the respondents on 01.10.2020 seeking to pay the family pension to the her, the said representation is pending and no orders have been passed.

4. The learned Government Advocate (Puducherry) appearing for the respondents would submit that the representation of the petitioners will be considered and orders will be passed in accordance with law.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. On considering the above said facts and circumstances of the case and the submissions made by both the parties, without expressing any opinion on merits, this Court is inclined to direct the fourth respondent to consider the petitioner's representation dated 15.03.2018 on merits and in accordance with law as early as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

Dua



To

1. The Director,
Director of Accounts and Treasuries,
Puducherry.
2. The Deputy Director of Accounts & Treasuries (Pension),
Directorate of Accounts and Treasuries,
Puducherry.
3. The Chief Engineer,
Central Office, PWD,
34, Lal Bahadur Sastri Street,
Puducherry - 605 001.
4. The Executive Engineer (B & R),
Government of Puducherry,
Buildings and Road Division,
Public Works Department,
Karaikal.

+1cc to Mr.H.Manojin, Advocate, S.R.No.29044

+1cc to the Government Pleader,Puducherry. S.R.No.29201

W.P.No. 19723 of 2020

SSI (CO)
CT 27/05/2022