



WEB COPY



W.P.No.27993 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.27993 of 2022

Mrs.C.Indra

... Petitioner

Versus

1. The Additional Director General of Police,
Inspector General of Prisons,
Tamil Nadu Prison Department,
Chennai-600 008.

2. The Accountant General (Accounts & Entitlements) Tamil Nadu,
361, Anna Salai, Teynampet,
Chennai-600 018.

... Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 2nd respondent to consider the representation dated 12.05.2022 of the petitioner and dispose of the same in accordance with law on merits.

For Petitioner : Mr.D.Daniel

For Respondents : Mr.L.S.M.Hasan Fizal
AGP
For R.1
Mr.Vijay Shankar
For R.2



W.P.No.27993 of 2022

ORDER

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2. According to the petitioner, R.Chandran is her husband and was employed under the first respondent and later retired from service on 30.04.2019 and was getting pension for the service rendered by him. According to the petitioner, her husband died on 18.09.2020. After the death of the petitioner's husband, the petitioner, who is his wife, has been receiving family pension. However, according to the petitioner, during the life time of the petitioner's husband while he was in service, he has made a request to his employer to include his daughter's name (Ms.Karthigai Bala), who is a physically challenged person and is unmarried for grant of family pension along with his wife. Since the daughter's name has not been included in the service records for grant of family pension, the petitioner has given a representation on 12.05.2022 to the respondents. Since the representation has not been considered till date, the petitioner has filed this writ petition.



W.P.No.27993 of 2022

3. Heard Mr.D.Daniel, learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader accepts notice on behalf of the first respondent and Mr.Vijay Shankar, learned counsel for the second respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

4. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 12.05.2022 seeking for grant of family pension to her daughter after the lifetime of the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the writ petition is disposed of. No costs.

19.10.202

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sr

Index: Yes/No

<https://www.mhc.gov.in/judis> Speaking Order/Non-Speaking Order

3/4



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W.P.No.27993 of 2022

ABDUL QUDDHOSE, J.

sr

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W.P.No.27993 of 2022

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