



W.P.No.28315 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.28315 of 2022

M.Mumtaj

... Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai-600 003.
2. Assistant Health Officer,
Zone-9,
Greater Chennai corporation,
4th Cross Street, Lake Area
Nungambakkam, Chennai-600 034.
3. The State of Tamil Nadu rep by its Secretary,
Municipal Administration and Water Supply Department,
Fort St.George,
Chennai-600 009.

.... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to dispose of the petitioner's representations dated 14.07.2022 and 06.10.2022 and consequently direct the respondents to pay the widow family pension of the petitioner's father late Mahaboob Basha as per G.O.No.325 dated 28.11.2011.



W.P.No.28315 of 2022

For Petitioner : Mr.N.Beulah John Selvaraj
For Respondents : Mr.S.S.Gopinathan
Standing Counsel
For R.1 and R.2
Mr.M.Shajahan
Spl.Govt.Pleader
For R.3

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representation seeking for payment of widow family pension of her late father Mahaboob Basha as per G.O.No.325 dated 28.11.2011 based on the petitioner's representations dated 14.07.2022 and 06.10.2022 within a time frame to be fixed by this Court.

2. Heard Mr.N.Beulah John Selvaraj, learned counsel for the petitioner and Mr.S.Gopinathan, learned Standing Counsel accepts notice on behalf of the respondents 1 and 2 and Mr.M.Shajahan, learned Special Government Pleader accepts notice on behalf of the third respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. According to the petitioner, her father Mahaboob Basha died while in service with the respondent Corporation on 20.12.1991. According to the petitioner, as per G.O.No.325 dated 28.11.2011, she is entitled for widow family



W.P.No.28315 of 2022

pension as her husband died subsequent to the death of her father. She has given representations on 14.07.2022 and 06.10.2022 for the said purpose. Since the representations have not been considered till date, she has filed this writ petition.

4. Heard Mr.N.Beulah John Selvaraj, learned counsel for the petitioner and Mr.S.Gopinathan, learned Standing Counsel accepts notice on behalf of the respondents 1 and 2 and Mr.M.Shajahan, learned Special Government Pleader accepts notice on behalf of the third respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

5. No prejudice would be caused to the respondents if the petitioner's representations referred to supra are considered on merits and in accordance with law in the light of G.O. No.325 dated 28.11.2011, which the petitioner relies upon for the purpose of enabling her to get widow family pension.

6. For the foregoing reasons, this Court directs the respondents to pass final orders on merits and in accordance with law on the petitioner's



W.P.No.28315 of 2022

ABDUL QUDDHOSE,J.

WEB COPY

Sr

representations dated 14.07.2022 and 06.10.2022, seeking for payment of widow family pension of her father late Mahaboob Basha in the light of G.O.325 dated 28.11.2011 within a period of twelve weeks from the date of receipt of a copy of this order.

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

27.10.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai-600 003.
2. Assistant Health Officer,
Zone-9,
Greater Chennai corporation,
4th Cross Street, Lake Area
Nungambakkam, Chennai-600 034.
3. The Secretary,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-600 009.

W.P.No.28315 of 2022