



W.P.No.29222 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29222 of 2022

Lakshmanan

... Petitioner

Vs.

1.The Salem District Collector,
Salem District,
Salem.

2.The Assistant Accounts Officer,
Director of Health Services and Rural Health Service,
O/o. Salem District Collector,
Salem – 636 001,
Salem District.

3.The Assistant Treasury Officer,
Attur,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents herein to grant pension and death benefits of the petitioner's wife to the petitioner based on the representation of the petitioner dated 04.05.2022 within stipulated time may be fixed by this Court.



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For Petitioner : Mr.M. Senthilkumar

For Respondents : Mr.Naveen Kumar,
Government Advocate [R1]

Mr.L.S.M. Hasan Fizal,
Additional Government Pleader [R2]

Mr.V. Ravi,
Special Government Pleader [R3]

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to grant the pension and death benefits of the petitioner's wife to the petitioner based on the petitioner's representation dated 04.05.2022, within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner. Mr.Naveen Kumar, learned Government Advocate accepts notice on behalf of the first respondent, Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader, accepts notice on behalf of the second respondent and Mr.V. Ravi, learned Special Government Pleader, accepts notice on behalf of the third respondent. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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3. The petitioner claims that his wife was in Public Service and later she died after attaining superannuation. According to the petitioner, he is the only legal heir of the deceased. According to the petitioner, till date, the petitioner has not been granted family pension and other death benefits payable to the deceased. The petitioner has given a representation on 04.05.2022 for the aforementioned purpose. Since the representation has not been considered till date, he has filed this Writ Petition.

4. The learned Additional Government Pleader appearing for the second respondent would submit that the petitioner has married another lady while his first wife was alive and the same is recorded.

5. No prejudice will be caused to the respondents if the petitioner's representation dated 04.05.2022, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 04.05.2022 seeking for grant of family pension and death benefits for the petitioner's wife, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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ABDUL QUDDHOSE,J.

Sni

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

04.11.2022

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

Sni

To

1.The Salem District Collector,
Salem District,
Salem.

2.The Assistant Accounts Officer,
Director of Health Services and Rural Health Service,
O/o. Salem District Collector,
Salem – 636 001,
Salem District.

3.The Assistant Treasury Officer,
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