



WEB COPY



W.P. No.30885 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30885 of 2022

A. Jhoons Begum

...Petitioner

VS.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat,
Chennai – 600 009.

2. The District Collector,
Chennai District,
Chennai.

3. The Personal Assistant to the District Collector (General),
Chennai District,
Chennai.

4. The Tahsildar,
Perambur Taluk,
Chennai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the arrears of pension, family pension and other retirement benefits to the petitioner without any further delay based on her representation dated 15.09.2022 made to the respondents and also direct the respondents to fix her husband's salary on VI Pay and VII Pay commission.



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For petitioner : Mr. S. Sannjay
For respondents : Mr.N. Naveen Kumar
Government Advocate

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.N. Naveen Kumar, learned Government Advocate accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay the arrears of pension, family pension and other retirement benefits payable to the petitioner's deceased husband M.A.Hameed Nizar, based on her representation, dated 15.09.2022, within a time frame to be fixed by this Court.

4. The petitioner claims that her husband M.A. Hameed Nizar was suspended while in service and due to the said fact, he was not paid his retirement benefits. According to the petitioner, her husband died on 13.12.2021 and therefore, the disciplinary proceedings initiated against him has now got abated. In such circumstances, the petitioner, who is the wife of the deceased M.A. Hameed Nizar claims that she is now entitled to get the retirement benefits payable to her deceased husband. She has given a representation on 15.09.2022 for the said purpose. Since the



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representation has not been considered, till date by the respondents, the petitioner has filed this writ petition.

5. Heard Mr.K. Sannjay, learned counsel for the petitioner and Mr.N.Naveen Kumar, learned Government Advocate accepts notice for the respondents.

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

7. For the foregoing reasons, this Court directs the 3rd respondent to pass final orders on the petitioner's representation, dated 15.09.2022 seeking for payment of the arrears of pension, family pension and other retirement benefits payable to her deceased husband M.A. Hameed Nizar, who died while in service, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition stands disposed of. No costs.

21.11.2022

Note : Issue /Upload order copy on 22.11.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

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ABDUL QUDDHOSE, J.

vsi2

To

1. The Secretary to Government,
The State of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai – 600 009.

2. The District Collector,
Chennai District,
Chennai.

3. The Personal Assistant to the District Collector (General),
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