



W.P.(MD)No.14622 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE G. CHANDRASEKHARAN

W.P.(MD)No.14622 of 2022

P.Muthukrishnan

.. Petitioner

Vs

1.The Principal Accountant General (A& E),
No.361, Annasalai,
Chennai-18.

2.The Director of Pension,
Integrated Office Complex for Finance Department,
Veterinary Hospital Campus,
Nandhanam, Anna Salai,
Chennai-35.

3.The Commissioner of Police,
Madurai City,
Madurai.

4.The Treasurer,
District Treasury Office,
Collectorate Campus,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus, directing respondents 1 and 2 to pay Family
Security Fund Payable on the death of the petitioner's father Perumal



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(PPO No.A59006) and also the arrears of family pension payable to the petitioner's deceased mother Lakshmiammal to him by considering his application dated 19.05.2022.

For Petitioner	: Mr.T.Lenin Kumar
For 1 st Respondent	: Mr.P.Gunasekaran
For Respondents	: Mr.M.Sidharthan
2 to 4	Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to pay Family Security Fund Payable on the death of the petitioner's father Perumal (PPO No.A59006) and also the arrears of family pension payable to the petitioner's deceased mother Lakshmiammal to him by considering his application dated 19.05.2022.

2.Mr.M.Sidharthan, learned Additional Government Pleader takes notice for the respondents 2 to 4. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3.The learned counsel appearing for the petitioner submitted that the petitioner's father was serving as a Head Constable in the third respondent's department. After his retirement, the petitioner's father was receiving pension from the respondents. At this juncture, he was found missing. The efforts taken by the petitioner to trace him ended in vain. Thereafter, he has filed a suit in O.S.No..1174 of 2011 before the Additional District Munsif, Madurai, seeking for declaration to declare that the petitioner and his mother are the legal heirs of his father as he passed away. The suit was decreed on 02.06.2014. Thereafter, the petitioner has made a request to the fourth respondent seeking arrears of Family Pension to his mother and Family Security Fund payable on the death of his father, which was denied by the fourth respondent intimating that the representation was filed belatedly and he has no power to sanction Family Security Fund. Again on 22.02.2018, the petitioner has sent a representation to the second respondent for the very same relief. After receipt of the representation, the second respondent vide his proceedings kaditha no.3703/2018/E6, dated 09.03.2018 directed the



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fourth respondent to take appropriate steps. Then the petitioner has approached the fourth respondent and rectified the defects pointed out by the second respondent. Thereafter, the petitioner has sent a representation on 19.05.2022 to enable the fourth respondent to forward the file to the second respondent. Since there is no progress in the action of the second respondent, the present writ petition has been filed.

4.The learned Counsel appearing for the petitioner submitted that it would suffice, if the petitioner's representation is considered.

5.Considering the limited scope of prayer sought for by the learned counsel appearing for the petitioner and also the facts narrated above, the second respondent is directed to consider the representation of the petitioner dated 19.05.2022 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

08.07.2022

Index: Yes/No
Internet : Yes/No
vsg

To:

1. The Director of Pension,
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Chennai-35.
2. The Commissioner of Police,
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3. The Treasurer,
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G. CHANDRASEKHARAN, J.

vsg

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