



W.P.No.924 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2023

Coram:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.924 of 2023

M.Manonmani

... Petitioner

Vs.

1.The District Adi Dravidar and
Tribal Welfare Officer,
Ranipettai,
Ranipettai District.

2.The Principal Accountant General (A&E),
361, Anna Salai,
Chennai – 600 018.

3.The District Treasury Officer,
Ranipettai,
Ranipettai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to take necessary action to revise the pension by taking into account the last drawn pay of the petitioner's husband as Rs.11300/- instead of Rs.10,475/- and revise the pension and other terminal benefits accordingly and to ensure



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speedy disbursement of death cum retirement gratuity at the earliest, in light of the representation made by the petitioner on 09.12.2022.

For Petitioner : Mr.D.S.Ravikumar

For Respondents : Ms.P.Vijaya Devi,
Government Advocate
for R1 and R3

Mr.V.Vijay Shankar,
Standing Counsel for R2

ORDER

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

2.This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to take necessary action to revise the pension by taking into account the last drawn pay of the petitioner's husband as Rs.11,300/- instead of Rs.10,475/- and revise the pension and other terminal benefits accordingly and to ensure speedy disbursement of death cum retirement gratuity at the earliest, in the light of the representation made by the petitioner on 09.12.2022.



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3.The grievance of the petitioner in this writ petition is that her request for revision of family pension has not been considered by the respondents despite several representations. The last such representation was given by the petitioner on 09.12.2022. According to the petitioner, the last drawn pay of the petitioner's husband Late Ulaganathan was Rs.11,300/-, but for the purpose of calculating pension, erroneously, the respondents have fixed Rs.10,475/- as the last drawn salary.

4.Heard Mr.D.S.Ravikumar, learned counsel for the petitioner, Ms.P.Vijaya Devi, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 3 and Mr.V.Vijay Shankar, learned Standing Counsel, who accepts notice on behalf of the second respondent.

5.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.



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6.For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law on the petitioner's representation dated 09.12.2022 seeking for revision of her family pension, within a period of twelve weeks from the date of receipt of a copy of this order. In case the first respondent finds that the family pension will have to be revised in favour of the petitioner, the first respondent is also directed to communicate the same to the second respondent to implement the order of the first respondent.

7.With the above direction, this writ petition stands disposed of. No costs.

11.01.2023

vga
Index:Yes/No



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To

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Tribal Welfare Officer,
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Ranipettai District.
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ABDUL QUDDHOSE, J

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