



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.4511 of 2020

G.Jayalakshmi

... Petitioner

vs.

1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The Director of School Education,
D.P.I. Complex, College Road,
Chennai - 600 006.

3.The Assistant Educational Officer,
Morappur, Dharmapuri District.

4.The Accountant General (A& E) Tamilnadu,
No.361, Anna Salai,
Teynampet, Chennai - 600 018.

5.Puttammal

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the third respondent to sanction the family pension as per Pension rules and according to the representation dated 03.01.2020 to the petitioner within a stipulated period that may be fixed by this Court.



For Petitioner : Mr.S.B.Suresh Kumar

For Respondents 1 & 3 : Mr.V.Ramesh,
Government Advocate

For Respondent 4 : Mr.J.Sree Vidya, Standing Counsel

ORDER

This writ petition has been filed seeking a writ of mandamus to direct the third respondent to sanction the family pension as per Pension rules, considering the representation dated 03.01.2020 of the petitioner, within a stipulated period that may be fixed by this Court and pass such further or other orders in the interest of justice.

2. No counter affidavits have been filed by the respondents.

3. Learned standing counsel appearing for the fourth respondent placed a proceedings bearing No.PAG(A&E)/PEN 17/A947042/PPT10021/23-24/7868 dated 07.06.2023 before the Court and would submit that considering the letter No.384/A2/2022 dated 12/2022 of the BEO, Kadathur, the fourth respondent informed the Treasury Officer,



Dharmapuri that 100% family pension, at the admissible rates may be paid to the petitioner with effect from 23.11.2015 as per Rule 49 of TNPR rules.

WEB COPY

4. On consideration of the order of the fourth respondent dated 07.06.2023, in our considered opinion, no further adjudication is required in the present writ petition.

5. But the learned counsel for the petitioner submits that an appropriate direction shall be passed to the respondents to act in accordance with the order of the fourth respondent dated 07.06.2023 to see to pay the family pension to the petitioner without any unreasonable delay. This Court finds force in the contention of the learned counsel for the petitioner. Accordingly, in our considered view, to meet the interest of justice, it is appropriate to direct the respondents 1 to 4 to take steps for payment of the family pension to the petitioner as per the order dated 07.06.2023 of the fourth respondent as early as possible, not later than four weeks.

6. Accordingly, this writ petition is **disposed of** placing the order bearing No.PAG(A&E)/PEN 17/A947042/PPT10021/23-24/7868, dated



07.06.2023 on record and with a direction to the respondents 1 to 4 to see to pay the family pension to the petitioner as per the order of the fourth respondent dated 07.06.2023 within a period of four weeks from today.

7. There shall be no orders as to cost.

8. Consequently, connected miscellaneous petition is closed, if any.

15.06.2023

nl

Note: Issue order copy within three days

Index: Yes/No

Internet: Yes/No

Speaking/Non-speaking orders



WEB COPY

To

- 1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
- 2.The Director of School Education,
D.P.I. Complex, College Road,
Chennai - 600 006.
- 3.The Assistant Educational Officer,
Morappur, Dharmapuri District.
- 4.The Accountant General (A& E) Tamilnadu,
No.361, Anna Salai,
Teynampet, Chennai - 600 018.



WEB COPY

W.P.No.4511 of 2



BATTU DEVANAND, J.
nl

W.P.No.4511 of 2020

15.06.2023