



WEB COPY



W.P.No.6390 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6390 of 2023

Dr.K.Saraswathi Mani

...Petitioner

Vs

1.Government of Tamil Nadu,
Rep. by its Principal Secretary,
Finance [Pay Cell] Department,
Fort St. George, Chennai.
Pin – 600 009.

2.Principal Accountant General,
361, Anna Salai, Rostrevor Garden,
Teynampet, Chennai,
Tamil Nadu – 600 183.

3.District Treasury Officer,
Ooty Collectorate Campus,
Ooty, Nilgiris District – 643 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 2 to sanction the revision of pension as per the proposal submitted to the 3rd respondent by the Dean, Mohan Kumaramangalam Medical College



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Hospital, Salem, vide Ref.No.12556/E1/2018 dated 04.03.2019 and disburse the arrears of rent.

For Petitioner : Mr.R.Subramanian

For Respondents : M/s.Indhumathi
Government Advocate

ORDER

With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The limited prayer sought for is for a direction to the respondents 1 and 2 to sanction the revision of pension as per the proposal submitted to the 3rd respondent by the Dean, Mohan Kumaramangalam Medical College Hospital, Salem, vide Ref.No.12556/E1/2018 dated 04.03.2019, together with arrears of rent.

3.The learned counsel for the petitioner submitted that the petitioner had submitted an application on 01.03.2019, seeking for revision of pension. Since the said application was not considered, the present writ petition has been filed.



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4.This Court is of the view that such a claim requires to be considered by the respondents and this Court may not justified in stepping into the shoes of the respondents for considering the same. Nevertheless, if the petitioner is granted liberty to make a fresh representation ventilating her grievances with a consequential direction to the respondents to consider the same within a stipulated time, the ends of justice could be secured.

5.In the light of the above observations, the petitioner is granted liberty to make a fresh representation to the third respondent seeking for revision of pension and on receipt of the same, the third respondent is directed to consider it on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of the said representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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

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Index: Yes/No

Speaking order/Non-speaking order

hvk

To

1. The Principal Secretary,
Finance [Pay Cell] Department,
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Pin – 600 009.
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