



W.P. No. 8380 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8380 of 2023

Smt. Kuppu

... Petitioner

-VS-

1. Government of Tamil Nadu,
Rep. by its Secretary,
Department of Education,
Secretariat, Chennai – 600 009.
2. The Joint Director,
School Education,
College Road,
Nungambakkam,
Chennai – 600 006.
3. Chief Educational Officer,
Krishnagiri District,
Krishnagiri – 635 001.
4. Treasury Officer,
District Treasury,
Krishnagiri District,
Krishnagiri – 635 001.
5. The Headmaster,
Government Higher Secondary School,
Krishnagiri District,
Krishnagiri – 635 001.
6. Union of India,
Rep. by the Senior Accounts Officer (Legal cell),
O/o. The Principal Accountant General (A&E),
Tamil Nadu,
No. 361, Anna Salai,
Teynampet, Chennai – 600 018.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Fourth and Sixth Respondents to grant arrears of pension to the Petitioner w.e.f. 01.08.1998 and family pension w.e.f. 16.08.2001 to her and pay the difference of arrears of pension of her husband and family pension to her for the services rendered by the Petitioner's husband as a sweeper from 17.08.1988 to 31.07.1998 in the Fifth Respondent School for which she has made a detailed representation dated 09.08.2021 to the Fourth Respondent and marked copies to the other authorities.

For Petitioner : Mr. R.Malaichamy

For Respondents : Mr. B.Vijay,
Additional Government Pleader
(for R1 to R5)

Mr. S.Balaji (for R6)

ORDER

Heard Mr. R.Malaichamy, Learned Counsel for the Petitioner, Mr. B.Vijay, Learned Additional Government Pleader appearing for the First to Fifth Respondents and Mr. S.Balaji, Learned Counsel for the Sixth Respondent and perused the materials placed on record, apart from the pleadings of the parties.



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2. The grievance ventilated by the Petitioner is that she had made the representation dated 09.08.2021 to the Fourth Respondent to grant arrears of pension from 01.08.1998, family pension from 16.08.2001 and pay arrears of pension for her husband, viz., Kuppusamy, and family pension to her for the services rendered by her husband as sweeper from 17.08.1988 to 31.07.1998 in the school of the Fifth Respondent, but as it did not evoke any response, she has filed this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 09.08.2021 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal



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hearing to the Petitioner and all other persons concerned to explain their

WEB COPY position in that regard;

- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In fine, the Writ Petition is disposed on the aforesaid terms. No costs.

17.03.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023.



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To

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1. The Secretary to Government of Tamil Nadu,
Department of Education,
Secretariat, Chennai – 600 009.
2. The Joint Director,
School Education,
College Road,
Nungambakkam,
Chennai – 600 006.
3. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri – 635 001.
4. The Treasury Officer,
District Treasury,
Krishnagiri District,
Krishnagiri – 635 001.
5. The Senior Accounts Officer (Legal cell),
Union of India,
O/o. The Principal Accountant General (A&E),
Tamil Nadu,
No. 361, Anna Salai,
Teynampet, Chennai – 600 018.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

skr

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