



W.P. No. 11970 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM

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

W.P. No. 11970 of 2023

K.T.Subramanian

... Petitioner

-VS-

1. The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government
Finance (Pay Cell) Department
Secretariat
Chennai -600009.
2. The Under Secretary to Government
Finance (Pay Cell) Department
Secretariat
Chennai -600009.
3. The Principal Accountant General (A&E)
No. 361, Anna Salai
Teynampet
Chennai – 600 018.
4. The Assistant Treasury Officer
Sub Treasury
Conoor, The Nilgiris District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Second Respondent to consider the Petitioner's representation dated 26.08.2022 and directing the Second Respondent to grant additional quantum of pension/family pension of 20% which the Petitioner is entitled to in the I Slab from 1st day the Petitioner



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entered 80th year with effect from 07.01.2017 i.e. starting from the beginning of 80th year in PPO No. A835042/EDN, and grant monetary benefits.

For Petitioner : Mr. A.Babblie
For Respondents : Mr. N.Naveenkumar (R1,R2 & R4))
Government Advocate
Mrs. Hema Muralikrishnan (R3)

ORDER

Heard Mr. A.Babblie, Learned Counsel for the Petitioners and Mr. N.Naveenkumar, Learned Government Advocate who takes notice for the First, Second and Fourth Respondents and Mrs. Hema Muralikrishnan, Learned Counsel who takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 26.08.2022 to the Fourth Respondent requesting to grant arrears of enhanced pension to her with effect from 07.09.2017, but as it did not evoke any response, he has filed this Writ Petition.



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3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 26.08.2022 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 hearing to the Petitioner and all other persons concerned to explain his 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 30.06.2023 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



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(vi) the report of such compliance shall be filed before the Registrar (Judicial)

WEB COPY of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

20.04.2023

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Maya

Index: Yes/No

Note: Issue order copy by 26.05.2023.

To

1. The Additional Chief Secretary
to Government of Tamil Nadu
Finance (Pay Cell) Department
Secretariat
Chennai -600009.
2. The Under Secretary to Government
Finance (Pay Cell) Department
Secretariat
Chennai -600009.
3. The Principal Accountant General (A&E)
No. 361, Anna Salai
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Copy to

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



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P.D. AUDIKESAVALU, J.

Maya

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