



WEB COPY



W.P. No.34589 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.34589 of 2022

S. Reeta

.. Petitioner

VS.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building Campus,
Chennai - 600 003.

2. The Accounts Officer (Pension),
Greater Chennai Corporation,
Rippon Building Campus,
Chennai - 600 003.

3. The Zonal Officer,
Zone- 9, Greater Chennai Corporation,
Chennai - 600 034.

4. Assistant Commissioner and Electrical Engineer,
Zone- 9, Greater Chennai Corporation,
Chennai - 600 034.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay family pension, death benefits and all monetary benefits of P.Selvam together with applicable interest to the petitioner based on the application made by her in the year 2019 and subsequent representations dated 06.05.2021 and 23.11.2021.



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For Petitioner : Mr.C.Justeen
For Respondents : Ms.K.Aswini Devi
Standing counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Ms.K.Aswini Devi, learned Standing counsel accepts notice for the respondents.

3. The grievance of the petitioner in this writ petition is that even though she is the legally wedded wife of the deceased employee P.Selvam, she has not been granted family pension. According to the petitioner, earlier there were matrimonial differences between the petitioner and her husband P.Selvam. According to her when there were matrimonial differences, her husband P.Selvam had requested his employer viz., the 1st respondent not to include the petitioner's name as a beneficiary of the family pension. However, according to the petitioner, the matrimonial disputes were later sorted out and the petitioner as well as her husband P.Selvam were living together thereafter till his death. It is also contended by the petitioner that on 13.08.2018 subsequent to the resolution of their



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matrimonial dispute, P.Selvam had also written a letter to his employer viz., the 4th respondent requesting to include the petitioner's name as a beneficiary of the family pension. According to the petitioner, even though several representations were made by her requesting the Chennai Corporation to pay her the family pension, till date, the same has not been paid. The last of the representations given by the petitioner to the respondents was on 06.05.2021 and 23.11.2021.

4. Heard Mr.C.Justeen, learned counsel for the petitioner and Ms.K.Aswini Devi, learned Standing counsel for the respondents / Chennai Corporation.

5. No prejudice would be caused to the respondents, if the petitioner's representations as stated supra are considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the 4th respondent to pass final orders on merits and in accordance with law on the petitioner's representations dated 06.05.2021 and 23.11.2021 seeking for payment of



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family pension in her favour on account of the death of her husband

(employee) P.Selvam, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of.

No costs.

02.01.2023

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order
vsi2

To :

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Chennai - 600 003.

2. The Accounts Officer (Pension),
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Chennai - 600 003.

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Zone- 9, Greater Chennai Corporation,
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ABDUL QUDDHOSE, J.

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