



W.P No.27569 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31.08.2023**

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

WP No.27569 of 2018

Mrs. Petchiyayee

... Petitioner

-Vs-

1. The Director
Local Fund Auditing
4th Floor, Nandanam
Chennai – 600 035.
2. The Commissioner
Tanjavur City Municipal Corporation
Tanjavur.
3. The Branch Manager
Canara Bank
South Main Street,
Tanjavur.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first respondent to pay petitioner's family pension as per PPO No. 10841 in SB A/c. No. 1221101039249 from 01.08.2016 onwards.



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For Petitioner : Mr. R.Sethuvarayar
For RR 1 & 2 : Mr. S.Ravi Kumar
Special Government Pleader
For 3rd Respondent : M/s. G. Lavanya

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction to the first respondent / Director, Local Fund Auditing, 4th Floor, Nandanam, Chennai, to pay family pension to the petitioner as per PPO No. 10841 from 01.08.2016.

2. The petitioner is Petchiyayee. Her husband name is Chinnaiyan. He was working as a permanent Sanitary worker under the Commissioner, Thanjavur City Municipal Corporation, Thanjavur. He died while in service. The daughter of the petitioner got appointment under compassionate grounds. The petitioner however received family pension consequent to the death of her husband through the third respondent, namely, Canara Bank, South Main Street, Thanjavur, which was credited to



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SB Account No. 1221101039249. Incidentally, there was another Petchiyayee. She was wife of Nallathambi. She is a totally different individual. Even Nallathambi is not connected or related to the petitioner. The other Petchiyayee, w/o. Nallathambi, apparently had died. Under the impression that it is the petitioner / Petchiyayee w/o. Chinnaiyan, who had died, the third respondent had returned the pension from September 2016 onwards. Therefore, the petitioner was not able to get the family pension from 2016. The petitioner has been running from pillar to post to establish that she is actually alive. She is actually alive.

3. Among the documents filed in support of the Writ Petition, the petitioner had produced a pension order, the passbook entries, the life certificate issued to the petitioner herein and also a letter written by the first respondent. Having been frustrated, the petitioner had opened a fresh bank account in Indian Bank, Thanjavur Main Branch at No. 61, South Main Street, Thanjavur.

4. It is also seen that the first respondent had also made necessary enquiries and recommendations had been given that the petitioner can be



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paid the necessary pension but however, she would have to produce the pension passbook, the documents relating to her husband Chinnaiyan, the documents relating to Indian Bank where she has opened savings bank, a letter of the Branch Manager of the Indian Bank that they have no objection in crediting the pension and the documents relating to the petitioner herself. If the petitioner produces all these documents, the first respondent had indicated that they would credit the pension to the newly opened Indian Bank Account.

5. A direction is therefore given that the petitioner must produce these documents to the first respondent.

6. The learned counsel for the petitioner states that all these documents have already been produced, but at any rate, let another copy be produced along with the copy of this order. On receipt of this order and the documents, the first respondent may direct payment of pension to the petitioner's Indian Bank account No. 7030669259 at Thanjavur Main (163), at No. 61, South Main Street, Thanjavur.



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7. The said pension may be credited in the next payment itself.

There is also the issue of arrears to be paid. The arrears should also be worked out and calculated and they may also credited to the Indian Bank savings account mentioned above.

8. The entire processes must be completed within a period of 12 weeks from the date on which the documents should produced by the petitioner herein before the first respondent.

9. The Writ Petition stands disposed of. No costs.

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Index:Yes/No

Neutral Citation:Yes/No

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