



W.P.(MD).No.11447 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.11447 of 2021

Reginamary

Vs.

... Petitioner

- 1.The Principal Accountant General
(Accounts & Entitlements), Tamil Nadu,
361, Anna Salai,
Teynampet,
Chennai-600 018.
- 2.The District Elementary Educational Officer,
District Elementary Education Office,
Karur.
- 3.The Additional Assistant Elementary
Education Officer,
Mahadhanapuram,
Karur.
- 4.The Treasury Officer,
Treasury Office,
Kulithalai,
Karur District.
- 5.The Branch Manager,
Principal Public Account Office (Pension),
Karur.
- 6.Santhanamary

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 5 to disburse family pension and other related pensionary benefits due to the Petitioner on account of the death of her husband late .Muthu, based on the representation dated 17/06/2021 within a stipulated time that may be fixed by this Court.

For Petitioner	: Mr.P.Saravanakumar
For R1	: M/s.S.Mahalakshmi Standing Counsel
For R2 & R3	: Mr.N.Ramesh Arumugam Government Advocate
For R4 & R5	: No Appearance
For R6	: Mr.C.K.M.Appaji

ORDER

The present writ petition has been filed seeking direction to the respondents 1 to 5 to disburse family pension and other related pensionary benefits due to the Petitioner on account of the death of her husband late .Muthu, based on the representation dated 17/06/2021 within a stipulated time that may be fixed by this Court.



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2. The petitioner got married with one Muthu on 05.02.1969 and the said marriage was arranged marriage. They were blessed with 2 children. The petitioner's husband was working as Headmaster in Pothuravuthanpatti Panchayat Union Elementary School, Krishnarayapuram Union, Karur District and he retired on 31.07.2002. The petitioner's husband died thereafter on 31.05.2021. After the death of her husband, being a legally wedded wife, after obtaining legal heir certificate and death certificate, the petitioner approached the 2nd respondent to grant pension benefits, for which she made a representation on 17.06.2021. However, the same was not considered.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

4. Without going into the merits of the case, this Court direct the respondents to consider the petitioner's representation, dated 17.06.2021 and



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pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands disposed of. No costs.

15.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Principal Accountant General
(Accounts & Entitlements), Tamil Nadu,
361, Anna Salai,
Teynampet,
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L.VICTORIA GOWRI, J.

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