



CONT P(MD)No.1232 of 2023 & Rev.A(MD)No.219 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT P (MD)No.1232 of 2023

and

Rev.Application Writ (MD)No.219 of 2023

&

WMP(MD)No.21786 of 2023

Rev.Application Writ (MD)No.219 of 2023 : -

1.K.Mani

2.M.Nagarathinam

... Petitioners/Petitioners

vs.

1.The Union of India, Rep.by its Secretary,
Ministry of Personal, Public
Grievances & Pensions,
Department of Pensions & Pensioner's
Welfare,
Loknayakbhawan, New Delhi – 110 003.

2.The Deputy Inspector General,
Central Industrial Security Force,
CISF Unit BSL Bokaro,
Bokaro District – 827 001,
Jharkhand State.

3.Sharmila Devi

... Respondents / Respondents



CONT P(MD)No.1232 of 2023 & Rev.A(MD)No.219 of 2023

Prayer : Review Application filed under Order 47 r/w Section 114 of CPC to review the order dated 10.11.2022 in WP(MD)No.24168 of 2018 on the file of this Court.

Cont P(MD)No.1232 of 2023 :

1.K.Mani

2.M.Nagarathinam

... Petitioners

vs.

1.Mr.V.Srinivas, Secretary,
Ministry of Personal, Public
Grievances & Pensions,
Department of Pensions & Pensioner's
Welfare,
Loknaya Bhawan, New Delhi – 110 003.

2.Mr.Rahul Yadav, Commandant,
Deputy Inspector General,
Central Industrial Security Force,
CISF Unit BSL Bokaro,
Bokaro District – 827 001,
Jharkhand State.

3.Sharmila Devi W/o.Radhakrishnan

4.The State Bank of India,
Chinnamanor,
Theni District – 625 515.

... Respondents

(R3 and R4 were suo motu impleaded vide court order dated 19.09.2023)



CONT P(MD)No.1232 of 2023 & Rev.A(MD)No.219 of 2023

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents herein for committing contempt for their willful and deliberate disobedience of the orders passed by this court in WP(MD)No.24168 of 2018 dated 10.11.2022.

For Petitioners
in both cases : Mr.R.Pon Karthikeyan

For Respondents : Mr.K.Govindarajan for R1 & R2
(in both cases)

Mr.K.K.Udhayakumar for R3

Mr.J.Alaguram Jothi for R4
in Contempt

COMMON ORDER

Heard the learned counsel on either side.

2.One Shri.Saravanan was working as Constable in CISF. He committed suicide when he was posted at Jharkhand State. Parents of Saravanan Shri.K.Mani and Mrs.M.Nagarathinam filed WP(MD)No. 24168 of 2018 for disbursement of pension. The said writ petition was allowed by me on 10.11.2022. I directed the employer to disburse family pension. As per the relevant service rules, it is the wife who is entitled to family pension. This is of course subject to certain conditions. Since



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the order passed by this Court was not complied with, the petitioners filed Cont P(MD)No.1232 of 2023. When the matter was taken up for hearing, the learned Deputy Solicitor General of India informed the court that in compliance of the order of the court, the entire arrears have been credited to the account of the wife of the deceased. It is also stated before me that henceforth the monthly pension will be credited to Sharmila Devi.

3.In this background, the parents filed this Review Application (MD)No.219 of 2023. I suo motu impleaded the bank in which Sharmila Devi, the wife of the deceased, is having her pension account. I persuaded the parties to arrive at a compromise. I am happy to record that the request of this Court was well received and the parties have entered into an amicable settlement. Sharmila Devi undertakes before this Court to transfer a sum of Rs.9.00 lakhs from her pension account to the account of the mother of the deceased (Mrs.Nagarathinam). It is further undertaken that she will give standing instructions to the bank that 2/3rd of the pension received by her from the employer shall be straightaway transferred to the account of the mother of the deceased.



CONT P(MD)No.1232 of 2023 & Rev.A(MD)No.219 of 2023

In the event of demise of Mrs.Nagarathinam, the said amount will be transferred to the father of the deceased Mr.K.Mani. After their lifetime, Sharmila Devi will be entitled to receive full pension amount. This arrangement will hold good till the lifetime of the parents of deceased Saravanan. The earlier order freezing the bank account of Sharmila Devi stands lifted.

4.The Review Application as well as the Contempt Petition are disposed of accordingly. Connected miscellaneous petition is closed. No costs.

14.12.2023

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

Note: Issue order copy on 08.03.2024.



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To
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- 1.The Secretary,
Ministry of Personal, Public
Grievances & Pensions,
Department of Pensions & Pensioner's
Welfare, Loknayakbhawan, New Delhi – 110 003.
- 2.The Deputy Inspector General,
Central Industrial Security Force,
CISF Unit BSL Bokaro,
Bokaro District – 827 001,
Jharkhand State.
- 3.The State Bank of India,
Chinnamanor, Theni District – 625 515



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G.R.SWAMINATHAN, J.

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