



W.P(MD)No.22775 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.22775 of 2016

D. Kamala

...Petitioner

Vs.

1. The Secretary to Government,
Finance Department,
For St. George, Chennai – 600 009.

2. The Accountant General of Tamil Nadu (A & E),
O/o. The Accountant General of Tamil Nadu (A & E),
Teynampet, Anna Salai,
Chennai – 600 018.

3. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai – 600 015.

4. The Divisional Forest Officer,
Social Forestry Division,
13, Master Plan Campus,
Sivagangai District – 623 561.

5. The Sub -Treasurer,
O/o The Sub-Treasurer,
Taluk Office Road,
Karaikudi,
Sivagangai District.

....Respondents



W.P(MD)No.22775 of 2016

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.2036/2014/pa. Dated 05.08.2016 passed by the 4th Respondent and quash the same as arbitrary, illegal and unconstitutional and direct the respondents to grant the family pension to the petitioner for the 22 years of service rendered by her husband in the Tamil Nadu Forest Department (Civil employment) in the light of G.O.I.MOD LETTER No.01(05) 2010 – D (Pen/Policy) dated 17.01.2013.

For Petitioner : Mr.R.Shankar Ganesh
For R1,R3 to R5 : Mr.P.Subbaraj
Special Government Advocate
For R2 : Mr.P.Gunasekaran

ORDER

This Writ Petition has been filed against the order passed passed by the fourth respondent in Na.Ka.No.2036/2014/Pa dated 05.08.2016 and for a consequential direction to the respondents to grant the family pension to the petitioner for the 22 years of service rendered by her husband in the Tamil Nadu Forest Department (Civil employment) in the light of G.O.I.MOD LETTER No.01(05) 2010 – D (Pen/Policy) dated 17.01.2013.



W.P(MD)No.22775 of 2016

WEB COPY

2. A counter affidavit has been filed on behalf of the fourth respondent.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1, 3 to 5 and the learned Standing Counsel appearing for the second respondent and perused the record.

4. During the course of hearing, the learned Standing Counsel appearing for the second respondent has placed a copy of G.O.Ms.No.290, Public (Ex-servicemen) Department, dated 05.04.2017 and a copy of authorization dated 21.12.2017 granting second family pension to the petitioner.

5. On a careful consideration of the abovesaid two documents, it appears that in the light of G.O.Ms.No.290, Public (Ex-servicemen) Department, dated 05.04.2017, the second



W.P(MD)No.22775 of 2016

WEB COPY

respondent has issued authorization in favour of the petitioner sanctioning second family pension vide FPPO dated 21.12.2017 and subsequently, family pension was also paid to the petitioner along with arrears.

6. The learned counsel for the petitioner also endorsed the statement of the learned Standing Counsel appearing for the second respondent and accepted that the petitioner is granted second family pension and he is receiving the pension regularly.

7. In view of the above factual position, in my considered opinion, no further adjudication is required in this case.

8. Accordingly, placing the statement of the learned counsel on record, this Writ Petition is closed.

9. No costs.

30.08.2023

Index : Yes / No



W.P(MD)No.22775 of 2016

NCC : Yes / No
CM

To,

1. The Secretary to Government,
Finance Department,
For St. George,
Chennai – 600 009.

2. The Accountant General of Tamil nadurai (A & E),
O/o. The Accountant General of Tamil Nadu (A & E),
Teynampet, Anna Salai,
Chennai – 600 018.

3. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai – 600 015.

4. The Divisional Forest Officer,
Social Forestry Division,
13, Master Plan Campus,
Sivagangai District – 623 561.

5. The Sub -Treasurer,
Taluk Office Road,
Karaikudi,
Sivagangai District.



WEB COPY



W.P(MD)No.22775 of 2016

BATTU DEVANAND, J.

CM

W.P.(MD)No.22775 of 2016

30.08.2023