



W.P.(MD)No. 8432 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 8432 of 2016

Jeyalakshmi

... Petitioner

Vs.

1.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

2. The Director of Medical and
Rural Health Services (ESI),
DMS Campus, Chennai.

3. The Accountant General,
(Accounts and Entilements),
No.361, Anna Salai,
Tenampet, Chennai – 18

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records to the proceedings of 3rd respondent made in PEN 30/IV/16-17/353, dated 04.04.2016 and quash the same and consequently direct the respondents 1 to 3 re fix the terminal benefits of the Petitioner's husband with proper basic pay as on 10.08.1993.



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For Petitioner : Mr.R.Murali
For R-1 & R-2 : Mr.R.Suresh Kumar
Additional Government Pleader
For R-3 : Mr.P.Gunasekaran,
Addl. Central Govt. Standing Counsel

ORDER

This writ petition is filed to quash the impugned order, dated 04.04.2016, directing the respondents 1 to 3 to refix the terminal benefits of the petitioner's husband with proper basic pay as on 10.08.1993.

2. Heard Mr.R.Murali, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader, appearing for the respondents 1 & 2 and Mr.P.Gunasekaran, learned Addl. Central Govt. Standing Counsel appearing for the 3rd respondent. Perused the material documents available on record.

3. The respondents have filed counter stating that the petitioner's pensionary benefits were authorised as per pay fixation done based on the salary dated 09.08.1993, with reference to the V Pay Commission, taking into account



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the pay as last drawn and the benefits authorised by, vide letter, dated 03.02.2017.

Since the contention of the petitioner has already been addressed, nothing subsists in the writ petition.

4. Recording the submission, this Writ Petition is closed. No Costs.

Index : Yes / No

20.02.2023

Internet : Yes

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To:

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.
2. The Director of Medical and
Rural Health Services (ESI),
DMS Campus, Chennai.



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S.SRIMATHY, J

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**Order made in
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