



W.P.No.6793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.6793 of 2023

K.S.I. Samuel

...Petitioner

Vs

1. The Principal Accountant General (Accounts & Entitlements)
Tamil Nadu, Office at 361, Anna Salai,
Chennai – 600 018.

2. The Deputy Director, Health Department,
Cheyyar, Tiruvannamalai District.

3. The District Treasury Officer, Trichy

4. The Assistant Treasury Officer,
Sub Treasury Office, Vandavasi
Tiruvannamalai District

5. The Assistant Treasury Officer,
Sub Treasury Office, Musuri,
Trichy District.

6. The Medical Officer,
Vazhuvoor Primary Health Centre,
Health Department, Vandavasi,
Tiruvannamalai District.

7. C. Sathya Priya



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8. The Tahsildar,
Vandavasi Taluk,
Tiruvannamalai District.

9. The Commissioner, Vandavasi
Municipality, Tiruvannamalai District.

(R8 and R9 Suo Motu impleaded vide
orderdated 07.03.2023 made in
W.P.No.6796 of 2023)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to dispose the representation dated 06.06.2022 within the stipulated period and pass orders.

For Petitioner	: Mr. G. Thangavel
For Respondent- 1	: Mr.S. Brinda,Standing Counsel
For Respondents 2 to 6 and 8	: Mr.V.P.R. Elamparithi, Standing Counsel
For Respondent – 7	: L.P. Mayura

ORDER

The petitioner has filed this writ petition seeking to issue a Writ of Mandamus directing the first respondent herein to dispose the representation dated 06.06.2022 within the stipulated period and pass orders.



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2. The case of the petitioner is that his wife worked in the Vazhuvoor Primary Health Centre, Health Department and she was allowed to retire on VRS on 31.12.2006. From the date of retirement she was receiving monthly pension periodically and she passed away on 22.05.2008. Thereafter, due to some unforeseen circumstances the petitioner was unable to approach the authorities concerned and produce the death certificate and other relevant documents to establish his right to receive the pension and other terminal benefits of his wife. In the mean time the 7th respondent committed fraud and mislead Government authorities to receive the pension of the petitioner's wife. However, with reference to the letter dated 06.07.2017 the petitioner appeared before the authorities concerned and questioned the validity of the unlawful transfer of pension to the 7th respondent. Thereafter, from the year 2016 onwards the pension to the 7th respondent is stopped. Subsequently, the petitioner has given a representation on 06.06.2022 to the authorities concerned enclosing the relevant documents to establish his claim. However, the same was not considered till date. Hence this petition.



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3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the official respondents to consider petitioner's representation dated 06.06.2022 and pass orders.

4. The learned Additional Government Pleader and Standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered on merits and in accordance with law.

5. Considering the facts of the case, this Court without expressing any merits of the case directs the official respondents to consider the representation of the petitioner and pass orders within a period of eight weeks from the date of receipt of a copy of this Order.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Index: Yes/No

Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

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