



W.P. No. 7400 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7400 of 2024

K.Saroja

... Petitioner

-VS-

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 636 303.
2. The Additional Chief Secretary,
Public (Pension) Department,
Fort St. George,
Chennai - 600 009.
3. The District Collector,
O/o. District Collector,
Salem District - 636 001.
4. The Revenue Divisional Officer,
Mettur,
Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the Petitioner representation dated 24.09.2021 seeking to give the pension within a stipulated period as may be fixed by this Court.

For Petitioner : Mr. J.Rajmohan

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate



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ORDER

Heard Mr. J.Rajmohan, Learned Counsel for the Petitioner, Mr. S.J.Mohamed Sathik, Learned Government Advocate, who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 24.09.2021 to the Respondents seeking to grant family pension in terms of G.O. Ms. No. 748, Public (Political Pension-II) Department dated 11.08.1995 issued by the Government of Tamil Nadu, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 24.09.2021 made by the Petitioner in the light of G.O. Ms. No. 748, Public (Political Pension-II) Department dated 11.08.1995 issued by the



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Government of Tamil Nadu including ascertaining as to whether the

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Petitioner would be entitled for the relief claimed;

- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;
- (v) if the Petitioner is found entitled to the pension as claimed, it shall be ensured that the eligible amount of arrears of family pension is paid within three months from the date of passing of that order, apart from family pension for future months on the due dates; and
- (vi) the report of such compliance shall be filed by 30.06.2024 before the Registrar (Judicial) of the Court.



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In the result, the Writ Petition is disposed on the aforesaid terms. No

costs.

22.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 02.04.2024.

gsa

To

1. The Chief Secretary to the Government of Tamil Nadu,
Fort St. George,
Chennai - 636 303.
2. The Additional Chief Secretary,
Public (Pension) Department,
Fort St. George,
Chennai - 600 009.
3. The District Collector,
O/o. District Collector,
Salem District - 636 001.
4. The Revenue Divisional Officer,
Mettur,
Salem District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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