



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.15797 of 2022

M.Sarojini

... Petitioner

Vs.

1.The District Collector,
Chengalpet, Chengalpet District.

2.The Block Development Officer,
Panchayat Union Office,
Padappai.

3.The Assistant Accounts Officer,
Office of the Accountant General,
(Accounts & Entitlements)
Tamil Nadu, 361, Anna Salai,
Chennai 600 018.

4.The Treasury Officer,
Kancheepuram.

5.The Assistant Treasury Officer,
Sub-Treasur,
Tambaram Taluk Office Campus,
GST Road, Tambaram Sanatorium,
Chennai 600 047.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to furnish the



details of life time arrears amount of the husband of the petitioner late Mr.Kamalakannan, (P.P.O.No.A99937) retired as Manager by considering the representation of the petitioner dated 08.02.2022.

For Petitioner : Mr.A.Kumaraguru

For Respondents : Mr.R.U.Dinesh Rajkumar, AGP

ORDER

This Writ Petition has been filed for a direction to the third respondent to furnish the details of life time arrears amount of the husband of the petitioner late Mr.Kamalakannan, (P.P.O.No.A99937) retired as Manager by considering the representation of the petitioner dated 08.02.2022.

2.Heard the learned counsel on either side and also perused the materials available on record.

3. The learned counsel for the petitioner submitted that the husband of the petitioner retired from service on 30.11.1987 as Manager of Noon Meal Programme, Kundrathur, which functioned under the second respondent. The pension of her husband was revised as Rs.755/- for a period from 01.12.1987 to 13.12.1987, Rs.788/- for a period from 14.12.1987 to 31.05.1988,



Rs.960/- for a period from 01.06.1988 to 31.12.1995 and Rs.2911/- for a period from 01.01.1996 to 15.03.2002. After the demise of her husband on 15.03.2002, the petitioner applied for life time arrears of her husband's pension for the period from 01.12.1987 to 15.03.2002 to the respondents 3 to 4 and also sent a requisition letter to the respondents 2 to 4, but there is no proper response for the same. At this point of time, it is to be noted that as per the Government Order in G.O.No.245 (Finance [PGC-I] Department) dated 19.07.2018, the benefit of the maximum qualifying service being reduced from 33 years to 30 years to become eligible for full pension shall also be extended to those who had retired between 01.10.1979 and 01.07.1996. With respect to the representation of the petitioner, the third respondent by his letter dated 09.07.2020 directed the fourth respondent to arrange payment on proper identification after observing the usual formalities. In regard to the direction of the third respondent's letter dated 09.07.2020, the fifth respondent sent a letter to the petitioner stating that the entire revised life time arrears amount was settled to the petitioner by the concerned department. Thereafter, the petitioner approached the fifth respondent seeking the transaction details regarding the amount which was settled to her and she also made a representation to the respondents 3 and 5 requesting to provide the



details of the life time arrears amount settled to the petitioner in excess. For which, on 12.01.2022, the third respondent had replied by stating that the petitioner should forward her representation along with the copy of the letter issued by the third respondent dated 09.07.2020 for taking further action. With respect to that, the petitioner made a representation to the third respondent along with the documents asked by the third respondent through registered post on 09.02.2022. Since there is no response from the respondents, the petitioner has filed the present petition seeking life time arrears amount of her husband.

4. The learned Additional Government Pleader appearing for the respondents submitted that the Accountant General (A&E), Tamil Nadu, Chennai-18 had only issued the Pension Payment Orders for payment of Pension/ Family Pension to the pensioners based on the proposal sent by the Department in which the pensioners had last served. In this case, the respondents 4 and 5 are not the competent authority to sanction the pension, life time arrears or other related monetary benefits to the petitioner, since they are only the pension disbursing authority and the petitioner has made a representation to the respondents 2 to 4 only. The fifth respondent by its order



dated 02.11.2022 had directed the 2nd respondent to sanction the life time arrears amount of the husband of the petitioner for a period from 01.12.1987 to 15.03.2022. The second respondent has issued a sanction order dated 30.08.2023 in Na.Ka.No.3686/2019/A1 for disbursing the life time arrears amount of the husband of the petitioner for the period from 01.12.1987 to 15.03.2022 to the petitioner.

5. On perusal of the letter of the second respondent dated 30.08.2023 in Na.Ka.No.3686/2019/A1, the respondents have sanctioned the life time arrears amount for the period from 01.12.1987 to 15.03.2022 to the petitioner. Therefore, the respondent concerned is directed to comply with the order passed by the second respondent in Na.Ka.No.3686/2019/A1 dated 30.08.2023 within a period of one month from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

03.10.2024

vkrr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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