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W.P.No.26613 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.26613 of 2021

V.Indira Bai

... Petitioner

Vs.

1.The Principal Accountant General,
Office of the Accountant General,
Anna Salai,
Chennai 600 018.

2.The District Collector,
Kanchipuram District, Kanchipuram.

3.The Thasildar,
Taluk Office, Kanchipuram.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to sanction family pension to the petitioner for the death of her husband late Gopal Naidu, who died on 14.11.2004 while he was in service as V.A.O of Punnur Village.

For Petitioner : Mr.B.Jawahar

For Respondents : Mrs.J.Sreevidya, Standing Counsel for R1
Mr.T.Chezhiyan, AGP for R2 & R3



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ORDER

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This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to direct the first respondent to sanction family pension to the petitioner on the death of her husband late Gopal Naidu, who died on 14.11.2004 while he was in service as V.A.O of Punnur Village.

2. Heard Mr.B.Jawahar, learned counsel for the petitioner, Mrs.J.Sreevidya, learned Standing Counsel for R1 and Mr.T.Chezhiyan, learned Additional Government Pleader for R2 & R3.

3. The petitioner's husband late Gopal Naidu was working as Village Administrative Officer in Punnur Village, Kancheepuram District and he died on 14.11.2004 while in service. Subsequent to his death, his terminal benefits and family pension for the petitioner has not been sanctioned and disbursed to the petitioner.

4. The learned counsel for the petitioner submitted that the third respondent failed to send the family pension proposal to the first



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respondent and got it sanctioned.

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5. It is learnt from the records that on 06.11.2020, the first respondent has sent a communication to the third respondent by requesting to produce a duplicate copy of Service Registrar of the deceased, but the same has not been complied so far. Now, the learned Additional Government Pleader for the second and third respondents submitted that the Service Registrar of the petitioner's husband was found missing. If the Service Registrar is not traceable, then the third respondent ought to have taken certain steps to construct a duplicate copy of the Service Registrar book of Gopal Naidu.

6. From the year 2004, the matter is kept pending and the terminal benefits of the deceased and the family pension were not disbursed, even though the petitioner is entitled for getting family pension and the terminal benefits of Gopal Naidu. The delay is not on the part of the petitioner and all that the respondents 2 and 3 have to do is to send the particulars sought by the first respondent for the early disposal of the terminal benefits and the family pension due to be paid to the petitioner.



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Such a callous and indifferent attitude on the part of the third respondent is condemnable. Therefore, the respondents 2 and 3 are directed to do the needful to submit all the particulars requested by the first respondent for the early disposal of the terminal benefits and the family pension due to be paid to the petitioner.

7. With the above observations, this Writ Petition is disposed and the respondents 2 and 3 are directed to submit all the particulars requested by the first respondent for the early disposal of the terminal benefits and the family pension due to be paid to the petitioner within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the first respondent is directed to pass orders to disburse the terminal benefits and family pension to the petitioner within a period of three weeks from the date of receipt of the particulars from the second and third respondents. No costs.

16.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
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To

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R.N.MANJULA, J.

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