



Writ Petition No.26996 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26996 of 2024

S.Usha Rani

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Secretary to Government,
Finance Department, Secretariat,
Chennai - 600 009.

2.Pension Pay Officer, (G-Section),
Pension Pay Office,
Perasiriyar K.Anbalagan Maligai,
Ammavalagam, 571, Annasalai,
Chennai - 600 035.

3.Office of the Principal Accountant General
of Tamil Nadu,
AG's Office (Audit) Complex, 361,
Anna Salai, Rostrevor Garden,
Teynampet, Chennai - 600 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's representation letter dated 06.06.2024 with regard to grant of family pension.



Writ Petition No.26996 of 2024

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.U.Baranidharan,
Additional Government Pleader
[R1 & R2]
Mr.M.Bindran,
Additional Government Pleader [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to deal with the representation made by the petitioner on 06.06.2024 wherein the petitioner has sought for granting family pension.

2. Heard Mr.M.Velmurugan, learned counsel for petitioner, Mr.U.Baranidharan, learned Additional Government Pleader appearing for respondents 1 and 2 and Mr.M.Bindran, learned Additional Government Pleader appearing for third respondent.

3. The case of the petitioner is that she was married to one Santhanam on 15.05.1998. The specific case of the petitioner is that the said Santhanam was first married to one Chandraleka and the first wife died on 01.05.1996. Thereafter, the said Santhanam married the petitioner. Santhanam was a pensioner and he retired from the



Directorate of Public Health Department on 31.06.2004. Initially, he had nominated the said Chandraleka as nominee for receiving the family pension as she was the surviving spouse at the relevant point of time.

4. The further case of the petitioner is that the said Santhanam had nominated the name of the petitioner thereafter for both death cum retirement gratuity and family pension.

5. The grievance of the petitioner is that after the demise of Santhanam on 15.08.2019, the petitioner submitted an application for granting family pension along with all the relevant documents. On receipt of the same, the respondent credited certain amounts to the account of the petitioner towards cremation charges, arrears of pension *etc.* However, the request made by the petitioner for granting family pension was not considered and therefore, the present writ petition has been filed before this Court.

6. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the second respondent to deal with the representation made by the



Writ Petition No.26996 of 2024

petitioner dated 06.06.2024 and process the application submitted by the petitioner for family pension and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order. In the event of granting family pension in favour of the petitioner, the arrears of family pension will be paid to the petitioner within a period of eight (8) weeks thereafter.

7. The petitioner is directed to submit a fresh representation to the second respondent along with all relevant documents and a copy of this order. The copy of the representation shall also be marked to the third respondent.

This writ petition is disposed of within the above direction. No costs.

19.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm



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To

- 1.The Secretary to Government,
Finance Department, Secretariat,
Chennai - 600 009.
- 2.Pension Pay Officer, (G-Section),
Pension Pay Office,
Perasiriyar K.Anbalagan Maligai,
Ammavalagam, 571, Annasalai,
Chennai - 600 035.
- 3.Office of the Principal Accountant General
of Tamil Nadu,
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Writ Petition No.26996 of 2024

N.ANAND VENKATESH, J



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Writ Petition No.26996 of 2024

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Writ Petition No.26996 of 2024

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