



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26629 of 2024

S.Arputham

... Petitioner

Vs.

- 1.The Principal Accountant General,
Lekha Pariksha Bhavan,
361, Anna Salai,
Teynampet, Chennai – 600 018
Phone No.044 – 4316400
- 2.The Additional Secretary to Government/Director
Directorate of Pension,
571, Anna Salai,
Nandanam, Chennai – 600 035.
- 3.The District Collector,
District Collectorate,
Tiruchengod Road,
Namakkal – 637 003.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruchengod Road,
Namakkal – 637 211.
- 5.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Cell



No.1/7-1, Tiruchengode Main Road,
Near Post Office, Namakkal – 637 003.

WEB COPY

6.The Tahsildar,
Office of the Tahsildar,
Paramathi Main Road,
Tiruchengode – 637 211,
Namakkal District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to consider the petitioner's representations dated 30.12.2023 and 12.06.2024 within a time frame as may be stipulated by this Court.

For Petitioner : Mr.D.Shivakumaran

For Respondents : Mrs.G.Vardhini Karthik for R1

Mr.V.P.R.Elamparithi for R2 and R5

Mrs.V.Yamuna Devi
Special Government Pleader
for R3, R4 & R6

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents 3 and 4 to consider the representations made by the petitioner on 30.12.2023 and 12.06.2024, within the time frame fixed by this Court.



WEB COPY

2. Heard Mr.D.Shivakumaran, learned counsel appearing on behalf of the petitioner, Mrs.G.Vardhini Karthik, learned counsel appearing on behalf of the 1st respondent, Mr.V.P.R.Elamparithi, learned Additional Government Pleader appearing on behalf of respondents 2 and 5 and Mrs.V.Yamuna Devi, learned Special Government Pleader appearing on behalf of respondents 3, 4 and 6.

3.The case of the petitioner is that her husband was working as a Village Administrative Officer. An FIR came to be registered and the husband of the petitioner was arrayed as an accused. Ultimately, on completion of investigation, the final report was filed and it was taken on file in C.C.No.1 of 2012 by the Chief Judicial Magistrate, Namakkal. Simultaneously, departmental proceedings were also initiated against the petitioner's husband under Rule 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules.

4.The further case of the petitioner is that her husband died on 14.11.2021 and as a result, the criminal case stood abated. Consequently, the 4th respondent also dropped the disciplinary proceedings initiated against the petitioner's husband.



WEB COPY

5.The grievance of the petitioner is that the terminal benefit and pension has not been paid/settled in favour of the petitioner in spite of several representations made by the petitioner. It is under these circumstances, the present writ petition came to be filed before this Court seeking for appropriate directions.

6.Taking into consideration the facts and circumstances of the case and the materials that were placed before this Court and the nature of grievance that has been expressed by the petitioner, there shall be a direction to the 3rd and 4th respondents to deal with the representations made by the petitioner on 30.12.2023 and 12.06.2024 and pass appropriate orders, within a period of six weeks from the date of receipt of copy of this order and thereby, the terminal benefits to which the petitioner is entitled to and the pension to which the petitioner is entitled to, shall be determined and shall be paid to the petitioner.

7.The petitioner is directed to make a fresh representation to the 3rd and 4th respondents along with all the relevant documents and also a copy of this order.



WEB COPY

8. This writ petition is disposed of with the above directions. No Costs.

13.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1. The Principal Accountant General,
Lekha Pariksha Bhavan,
361, Anna Salai,
Teynampet, Chennai – 600 018
Phone No.044 – 4316400
2. The Additional Secretary to Government/Director
Directorate of Pension,
571, Anna Salai,
Nandanam, Chennai – 600 035.
3. The District Collector,
District Collectorate,
Tiruchengod Road,
Namakkal – 637 003.
4. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruchengod Road,
Namakkal – 637 211.



WEB COPY



N. ANAND VENKATESH, J.

SSI

5.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Cell
No.1/7-1, Tiruchengode Main Road,
Near Post Office, Namakkal – 637 003.

6.The Tahsildar,
Office of the Tahsildar,
Paramathi Main Road,
Tiruchengode – 637 211,
Namakkal District.

W.P.No.26629 of 2024

13.09.2024