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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29813 of 2024

Jegannathan

... Petitioner

Vs.

1.The State of Tami Nadu rep. by its
Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Chennai - 600 009.

2.The Under Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai - 600 009.

3.The Principal Accountant General (A & E)
No.361, Anna Salai,
Teynampet, Chennai 600 018.

4.The Assistant Treasury Officer,
Sub Treasury Office,
Omalur,
Salem District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to sanction first slab of additional quantum of pension / family pension of 20 % to the petitioner (P.P.O.No.906 /NI /Pen /SLM / 03 dated .04.2003 and pension case No.NI / Pen- 5 / 2003) with effect from the date on which the petitioner attained the age of 80 years i.e. 15.02.2024 as per the Government order in G.O.Ms.No.313, Finance (pay Cell) Department, dated 25.10.2017 based on the representation made by the petitioner dated 12.08.2024.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to sanction the first slab of additional quantum of pension/family pension of 20% to the petitioner with effect from the date on which the petitioner attained the age of 80 years as per the Government order in G.O.Ms.No.313, Finance (pay Cell) Department, dated 25.10.2017.



2.Heard Mr.V.Elangovan, learned counsel appearing on behalf of the petitioner and Mr.U.Baranidharan, learned Additional Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that he was working in the Tamil Nadu Police Department as Head Constable. He retired from service on 28.02.2003. The petitioner was also receiving the pension amount and that is only the source of income for the petitioner.

4.The grievance of the petitioner is that G.O.Ms.No.313, dated 25.10.2017 was issued by the Government of Tamil Nadu, whereby, pensioners who have attained the age of 80 years are entitled for sanction of additional quantum of pension at the rate of 20%. The petitioner made representations in this regard for extending this relief granted by the Government Order. Since there was no response, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and also the Government Order issued in G.O.Ms.No.313, dated 25.10.2017, there



shall be a direction to the 4th respondent to deal with the representation made by the petitioner on 12.08.2024 on its own merits and in accordance with law and in line with G.O.Ms.No.313, dated 25.10.2017 and pass appropriate orders, within a period of six weeks from the date of receipt of copy of this order.

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

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

04.10.2024

Internet : Yes

(1/2)

Index : Yes

Speaking Order / Non Speaking Order
ssr

To

1.The Additional Chief Secretary to Government,
State of Tami Nadu
Finance (Pay Cell) Department,
Secretariat, Chennai - 600 009.



2. The Under Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai - 600 009.

3. The Principal Accountant General (A & E)
No.361, Anna Salai,
Teynampet, Chennai 600 018.

4. The Assistant Treasury Officer,
Sub Treasury Office,
Omalur,
Salem District.



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N. ANAND VENKATESH, J.

SSR

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