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W.P.No.31915 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.31915 of 2024

Kalvikarasi

.. Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St. George,
Secretariat, Chennai – 600 009.
- 2.The Director of School Education,
DPI Compound, College Road,
Chennai – 600 006.
- 3.The Accountant General of Tamil Nadu,
Office of the Accountant General, (A&E),
Anna Salai, Teynampet,
Chennai.
- 4.The District Educational Officer,
Mayiladuthurai,
Mayiladuthurai District.
- 5.The Tahsildar,
Sirkazhi,
Mayiladuthurai District.
- 6.The Chief Educational Officer,
Mayiladuthurai,
Mayiladuthurai District.



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7. The Block Educational Officer,
Kollidam Union,
Sirkazhi,
Mayiladuthurai District.

8. The Assistant Treasurer,
Sirkazhi,
Mayiladuthurai District.

9. The Head Master,
Sivananda, Government Aided School,
Madhanam,
Kollidam Union,
Mayiladuthurai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 8th respondent to disburse the family pension to the petitioner by considering the legal heir certificate of her late Husband viz., Ramchandran vide certificate No.Ni.Mu.226/2021/Aa3 issued by the 5th respondent dated 07.05.2021 and by considering representation of the petitioner dated 13.09.2024.

For Petitioner	:	Mr.M.Ragul Kousik
For RR 1, 2 & 4 to 8	:	Mrs.S.Mythreye Chandru Special Government Pleader
For R3	:	Mrs.J.Srividhya Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 8th respondent to disburse the family pension to the



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petitioner by considering the representation made by the petitioner on 13.09.2024.

2.Heard the learned counsel for the petitioner, learned Special Government Pleader for respondents 1, 2 & 4 to 8 and the learned Standing Counsel for the 3rd respondent.

3.The case of the petitioner is that her husband was working as Tamil Teacher in the 9th respondent school. He married the petitioner in the year 1974. The further case of the petitioner is that the petitioner's husband also had a relationship with an yet another woman. The petitioner was not maintained even during the subsistence of the marriage and therefore, the petitioner was forced to file a maintenance case which was also ordered in favour of the petitioner and the husband was directed to pay the monthly maintenance.

4.The petitioner's husband retired from service in the year 2001 and he was receiving the pension amount. The women whom the petitioner's husband had married for the second time namely Thaiyalnayagi died on 28.01.2018. The petitioner's husband also died on



26.09.2020. Thereafter, the petitioner was making repeated representations seeking for payment of family pension. Since, the same was not considered the present writ petition has been filed before this Court.

5.The learned Special Government Pleader appearing on behalf of the official respondents submitted that certain additional particulars were sought for from the petitioner and if the same is furnished, the representations made by the petitioner will be considered.

6.Taking into consideration the facts and circumstances of the case and the nature of grievance expressed by the petitioner, there shall be a direction to the petitioner to go to the office of the 7th respondent and furnish all the necessary particulars / documents required. On receipt of the same, appropriate proceedings shall be issued for granting family pension to the petitioner along with arrears, if the petitioner is otherwise entitled to. This process shall be completed within a period of six (6) weeks from the date on which the petitioner furnishes all the relevant details / documents to the 7th respondent.



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7.In the result, this Writ Petition is disposed of with the above directions. No costs.

28.10.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

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N.ANAND VENKATESH, J.

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8.The Assistant Treasurer,
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