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W.P.No.37338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.37338 of 2024

Jannet

...Petitioner

Vs

1. The Principal Accountant General,
Account General Office Complex,
No.361, Roastrivar Garden, Annasalai,
Teynampet, Chennai 600 018.

2. The District Treasury Officer,
District Government Treasury,
District Collector complex,
Tutucorin District 628 101.

3. The Assistant Treasury Officer,
Government Deputy Treasury,
Taluk Office Complex, Kovilpatti,
Tutocorin District 628501.

4. The Head Master
V.O.C. Government Higher Secondary School,
Subramaniyapuram, Kovilpatti,
Tutucorin District 628 502.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the Family Pension of the petitioner's deceased husband Gonzago Mascrean to the petitioner based on petitioner's representation dated



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20.09.2024 and pass orders.

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For Petitioner : Mr. K. Jothisivam

For Respondent 1 : Mrs. G. Vardini Karthik

Standing Counsel

For Respondents 2 and 3 : Mr.U. Baranidharan

Additional Government Pleader

For Respondent 4 : Mrs. S.Mythreye Chandru,
Special Government Pleader

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents to disburse the Family Pension of the petitioner deceased husband Gonzago Mascreean to the petitioner based on petitioner's representation dated 20.09.2024 and pass orders.

3. The case of the petitioner is that the husband of the petitioner/ Gonzago Mascreean is a retired employee from the fourth Respondent School. He passed away on 24.05.2021. After the demise of the said



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Gonzago Mascrean the petitioner applied for family pension. The grievance of the petitioner is that due to the reason that the said Gonzago Mascrean not mentioned the name of the petitioner in the retirement memo, family pension was denied. Thereafter, she made a representation to the respondents on 20.09.2024 seeking family pension and the same was not considered till date. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider petitioner's representation and pass orders.

5. The learned Additional Government Pleader appearing for the second respondent submits that they will consider the case of the petitioner on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 20.09.2024 after conducting an



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enquiry by affording reasonable opportunity of hearing to the petitioner and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to co-operate with the respondents and produce all the available documents to establish her case.

7. With the above observations this writ petition stands disposed of.

No order as to costs.

12.12.2024

Index:Yes/No

Speaking order/Non-speaking order

smn



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V.BHAVANI SUBBAROYAN,J.

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