



W.P.(MD).No.4559 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.4559 of 2024

V.Selvi

... Petitioner

Vs.

1.The Internal Audit Officer,
Board Office Audit Branch /
TNEB,
NPKRR Malligai 1st Floor,
800, Anna Salai,
Chennai-600 002.

2.The Assistant Engineer,
O & M West, TANGEDCO,
Alangudi Taluk,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to issue family pension in the petitioner's name with arrears by considering her representation dated 31.08.2023 within stipulated time as may be fixed by this Court.



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For Petitioner : Mr.K.C.Maniyarasu

For Respondents : M/s.M.Parameswari,
Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed seeking direction to the 1st respondent to issue family pension in the petitioner's name with arrears by considering her representation dated 31.08.2023.

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner's husband was appointed as Wire man in the Tamil Nadu Electricity Board and his PPO No. 53772. The petitioner's husband married one Santha and she deserted him in the year 1988 and the said Santha died on 18.07.2008 without issues. Thereafter, the petitioner married her husband on 14.09.1988. He voluntarily retired from his employment on 03.06.2004, and he



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died on 20.07.2023. The petitioner made a representation dated 31.08.2023 to the 1st Respondent through the 2nd respondent to accord family pension to her. Since the same was not considered by the respondents, the present writ petition came to be filed.

4. Heard, the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents. Carefully perused the materials available on record.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.



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6. Without going into the merits of this case, this Court hereby direct the respondents to consider the representation of the petitioner dated 31.08.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands disposed of. No costs.

28.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

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L.VICTORIA GOWRI, J.

Sml

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