



W.P.(MD).No.6598 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6598 of 2024

K.Revathy

... Petitioner

Vs

1. The Commissioner,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 600 005.
2. The District Adi Dravidar And Tribal Welfare Officer,
Karur District - 639 007.
3. The Head Master,
The Adi Dravidar and Tribal Welfare High School,
Mavathur, Karur District - 621 311.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents no.1 and 2 to revise the family pension of the petitioner by providing the necessary second incentive increments from 23.01.2018 for acquiring M.Phil degree in Tamil by the petitioner's husband, R.Karuppasamy (Late) in January 2018, while in service and to refix the family pension, within the time stipulated by this Court.



W.P.(MD).No.6598 of 2024

For Petitioner : Mr. S. Louis

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a direction to the respondents no.1 and 2 to revise the family pension of the petitioner by providing the necessary second incentive increments from 23.01.2018 for acquiring M.Phil degree in Tamil by the petitioner's husband, R.Karuppasamy (Late) in January 2018, while in service and to refix the family pension, within the time stipulated by this Court.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents. Perused the materials on record.



W.P.(MD).No.6598 of 2024

WEB COPY

4.(i).The petitioner's husband was working as B.T.Assistant in Government Adi Dravidar and Tribal Welfare High School, Mavathur, Karur District. With prior permission from the Department, he acquired M.Phil., degree in January, 2018. While in service, he died on 02.05.2018.

(ii).The petitioner approached the second and third respondents to provide the second incentive increment to her husband on considering his M.Phil Degree and to re-fix the family pension. In this regard, the third respondent vide his communication, dated 08.02.2024 forwarded the proposal to the second respondent. However, the same was not considered by the second respondent. Hence, this writ petition came to be filed.

5.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the second respondent to pass appropriate orders in accordance with law, based on the proposal of the petitioner seeking to grant second incentive increment to her husband and to re-fix the family pension, which was forwarded by the third respondent, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.



W.P.(MD).No.6598 of 2024

WEB COPY

6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

19.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam, Thanjavur District.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region, Thanjavur District.



WEB COPY



W.P.(MD).No.6598 of 2024

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.6598 of 2024

19.03.2024