



W.P.(MD).No.13718 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.13718 of 2024

V.Mookkiah

...Petitioner

Vs

1.The Commissioner of Labour,
Labour Commissionerate,
DMS Complex,
Teynampet,
Chennai – 600 006.

2.The Assistant Commissioner of Labour,
Karuvelnayakanpatti,
Theni – 625 531.

... 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 i.e., the Commissioner of Labour, Chennai and the Assistant Commissioner of Labour, Theni to pass orders removing the name of the petitioner's wife from the Pension Payment Order No.C325158/LAB dated 27.06.2011 as Nominee since she is not residing with the petitioner and refusing to reside with him, within a specified time frame that may be fixed by this Court.



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For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.S.Visvalingam, learned counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the respondents i.e., the Commissioner of Labour, Chennai and the Assistant Commissioner of Labour, Theni to pass orders removing the name of the petitioner's wife from the Pension Payment Order No.C325158/LAB dated 27.06.2011 as Nominee.

3. Mr.S.Visvalingam, learned counsel for the petitioner submitted that the petitioner was a retired pensioner. He mentioned his wife namely, Mariammal as a nominee for getting family pension. The claim of the petitioner is that his wife is not residing with him, despite his repeated requested. The petitioner is residing with his daughter-in-law



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and grand daughter. In this regard, the petitioner preferred a representation dated 17.05.2024 to the respondents seeking to remove the name of his wife from the Pension Payment Order as nominee, since she is not residing with him and refused to reside with him. Since no action was taken, the petitioner approached this Court by way of filing this Writ Petition.

4. Considering the facts and circumstances of the case, this Court directs the respondents to consider the petitioner's representation dated 17.05.2024 and pass orders on merits and in accordance with rules, after enquiring both the petitioner and his wife. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. In view of the above, this Writ Petition is **disposed of**. No costs.

27.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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