



WP(MD). No.16624 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/07/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.16624 of 2024

K.Meenakshi

... Petitioner

Vs

1. The Pay and Accounts Officer,
O/o.Pay and Accounts Office (Pension and MISC), New Delhi
Gallery No.III, Block No.10, Jam Nagar House,
New Delhi 110066

2. The Manager,
Indian Overseas Bank
Centralized Pension Processing Centre,
No.763 Central Office
Anna Salai, Chennai 600 002

3. The Manager,
Indian Overseas Bank
No.131 East Car Street,
Tirunelveli Town, 627 006.

4. The Treasury Officer,
District Treasury
Tirunelveli 627 009.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the



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respondents to consider the petitioner's representation dated 24.06.2024 and direct the respondents to pay the duly revised family pension and the arrears due to the petitioner from 01.01.2017 within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Loganathan

For Respondents : Mr.P.Gunasekaran for R1
Mr.N.Dilipkumar for R2 & R3
Mr.T.Amjad Khan for R4
Government Advocate

ORDER

Heard Mr.S.Loganathan, learned counsel for the petitioner, the learned counsel for the respondents 1 to 3 and Mr.T.Amjad Khan, learned Government Advocate, for the respondent No.4.

2.This writ petition has been filed to direct the respondents to consider the petitioner's representation dated 24.06.2024 and direct the respondents to pay the duly revised family pension and the arrears due to the petitioner from 01.01.2017 within a time frame to be fixed by this Court.



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

4. The petitioner's husband, who was working in the Public Works Department died on 01.11.2000. The petitioner was granted the family pension and other monetary benefits. However, since the revised pension has not been paid to the petitioner from 01.01.2017, she has sent a representation to the respondents to do the needful. However, since the said representation was not considered so far, the petitioner is before this Court with this writ petition.

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 respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution



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of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 24.06.2024 on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, this writ petition is **disposed of**. No costs.

24.07.2024

RR
To
4. The Treasury Officer,
District Treasury
Tirunelveli 627 009.

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R.N.MANJULA,J

RR

**ORDER
IN
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