



WP(MD) No.22781 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.02.2024

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.22781 of 2021

A.Silambayee

... Petitioner

Vs.

1.The Principal Secretary to Government,
Revenue Department , Secretariat,
Chennai - 600009.

2.The Principal Secretary / Commissioner
of Revenue Administration,
Ezhilagam , Chepauk, Chennai - 600005.

3.The District Collector,
Sivagangai District, Sivagangai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the first respondent i.e., the Principal Secretary to Government , Revenue Department , Chennai to issue necessary instructions regarding payment of Family Pension to the petitioner as per Tamil Nadu Village Assistant Pension Rules and the last G.O.(Perm)No.168, Revenue Department, dated 07.04.2010 for payment



WP(MD) No.22781 of 2021

of Family Pension to the petitioner as Rs.560/- without any allowances, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.D.Sasikumar,
Addl. Govt. Pleader.

ORDER

The petitioner herein is the wife of one Late Thiru.S.P.Adaikappan, who having served as a Village Assistant in Kundrakudi Village, Thirupathur Taluk, Sivagangai District retired from service on attaining the age of superannuation on 30.11.2004. Thereafter, he was granted monthly pension of Rs.150/- as per P.P.O.No.C33190/VAS, dated 14.09.2017 and subsequently, he died on 07.03.2018. Thereafter, the petitioner claims to have made a request for grant of family pension and the same was recommended and accordingly forwarded to the Accountant General but the same was returned by the office of the Accountant General, Chennai for getting clarification from the Government as to whether the petitioner is entitled to draw family pension since her husband has not completed 10



WP(MD) No.22781 of 2021

years of service till the date of his superannuation. Thereafter, a letter was also sent by the District Collector, Sivagangai to the Government through letter No.R.C.L3/26078/2020, dated 12.08.2021 and also sent a reminder letter on 16.11.2021. However, the said proposal is still pending consideration before the Government.

2. In the above circumstances, the petitioner also claims to have submitted a representation dated 23.09.2020 before the first respondent requesting for passing appropriate orders on the proposal submitted by the respondent No.3 for grant of family pension in favour of the petitioner. Such representation is also stated to be still pending consideration before the first respondent.

3. In the circumstances, as the issue is still pending for a decision before the first respondent, this Court deems it appropriate to dispose of the Writ Petition without going into the merits of the case. Accordingly, this Writ Petition is disposed of directing the respondent No.1 to consider the representation dated 23.09.2020 submitted by the petitioner together with the proposal submitted by the respondent No.3 dated 12.08.2021 and pass



WP(MD) No.22781 of 2021

appropriate orders in accordance with law as expeditiously as possible at any rate within a period of six months from the date of receipt of a copy of this order. There shall be no order as to costs.

20.02.2024

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

vsm



WP(MD) No.22781 of 2021

WEB COPY

- To
- 1.The Principal Secretary to Government,
Revenue Department , Secretariat,
Chennai - 600009.
 - 2.The Principal Secretary / Commissioner
of Revenue Administration,
Ezhilagam , Chepauk, Chennai - 600005.
 - 3.The District Collector,
Sivagangai District, Sivagangai.



WEB COPY



WP(MD) No.22781 of 2021

MUMMINENI SUDHEER KUMAR, J.

vsm

W.P(MD)No.22781 of 2021

20.02.2024