



WP(MD)No.24696 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.24696 of 2022

P.Santhakumari

... Petitioner

Vs

**1.The Principal Accountant General,
Accounts and Entitlements,
No.361, Anna Salai,
Teynampet, Chennai.**

**2.The District Treasury Officer,
Madurai District.**

**3.The District Educational Officer,
Dindigul.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to grant the benefits of family pension granted in G.O.Ms.No.325, Finance (Pension) Department, dated 28.11.2011 and G.O.Ms.No.29, Finance (Pension) Department dated 31.03.2013 to the petitioner by considering the representations dated 08.04.2022 and 11.08.2022.



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For Petitioner : Mr.M.Mahendran
For Respondent : Mr.P.Gunasekaran
No.1
For Respondent : Mr.K.Balasubramani,
No.2 Special Government Pleader

ORDER

The petitioner is an unmarried daughter of one Padmanaban, a retired Teacher. He was a pensioner. He passed away on 14.12.2003. Her mother pre-deceased her father on 18.08.2002. The petitioner was dependant on her father. While so the petitioner has made an application for family pension to the respondents. She is also having an elder sister, who is a widow. However the petitioner's request has not been considered. Therefore, the petitioner has filed this writ petition seeking a writ of mandamus to consider the representation of the petitioner in the light of G.O.Ms.No.325, Finance (Pension) Department, dated 28.11.2011 and G.O.Ms.No.29, Finance (Pension) Department dated 31.03.2013.

2.When the writ petition has been taken up for hearing, the learned Counsel on either side submits that pending this writ petition, the writ petitioner passed away.



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3.Since the petitioner has passed away, the learned Counsel for the petitioner submits that the petitioner's elder sister is there and she is a widow and therefore, she may be considered for family pension in the light of the above government orders.

4.The learned Counsel for the 1st respondent submits that the writ petitioner's representation was forwarded to the 1st respondent by the 3rd respondent on 05.05.2021 and the same was considered by the 1st respondent vide proceedings dated 23.06.2021 and it has been rejected that the petitioner's sister Thilaham is eligible for family pension as per the government orders relied on the petitioner.

5.This Court considered the rival submissions and perused the materials placed on record.

6.The petitioner's request for family pension has been considered by the 1st respondent on 23.06.2021. However, the learned Counsel for the petitioner claims that it was not communicated to the petitioner. Since it is reported that the request of the petitioner was already rejected that the petitioner's elder sister Thilagam, who is a widow is eligible for pension, this writ petition is disposed of in the following terms:



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In case if any representation is made by Thilagam,

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the 3rd respondent shall forward the same to the
1st respondent and the 1st respondent shall take a decision
without any further delay. No costs.

28.11.2024

DSK

To

- 1.The Principal Accountant General,
Accounts and Entitlements,
No.361, Anna Salai,
Teynampet, Chennai.
- 2.The District Treasury Officer,
Madurai District.
- 3.The District Educational Officer,
Dindigul.



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B.PUGALENDHI.J.,

DSK

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