



W.P(MD)No.25839 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P(MD)No.25839 of 2022

Soundari

... Petitioner

Vs.

1.The Principal Accountant General (A&E),
No.361, Annasalai,
Chennai-18.

2.The District Treasury Officer,
Collector Office Complex,
Trichy District.

... 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 to pay family pension and arrears thereon since the petitioner was acquitted by the Mahila Court, Pudukottai in S.C.No.49 of 2019, by considering her representation, dated 03.06.2022 and pass such further or other order as this Court.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.J.K.Jeyaseelan
Government Advocate



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ORDER

This writ petition has been filed to direct the respondents to pay family pension and arrears since the petitioner was acquitted by the Mahila Court, Pudukottai in S.C.No.49 of 2019, by considering her representation, dated 03.06.2022.

2. The case of the petitioner is that the petitioner was working as a Typist in the Agricultural Department. On 27.07.2018, one Boopathi Kannan went to attend his duty at Pudukottai. But he did not come back home. On the next day, his body was found near Mathur to Thanjavur near Kuppakudi. In this regard, a case was registered in Crime No.93 of 2018 for the offence punishable under Section 302 of Bharatiya Nyaya Sanhita. The case registered by the said police was charge sheeted and the same is numbered in S.C.No.49 of 2019. Since a criminal case is registered against the petitioner, the first respondent suspended the family pension. Now, the petitioner was acquitted of all the charges. Hence, the petitioner sent a representation to the respondents, requesting them to pay family pension and arrears thereon. But the same was not considered so far. Hence, the present writ petition.



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3. The learned Counsel appearing for the petitioner submitted that the writ petition was filed on 11.11.2022 and subsequently, the pension arrears were settled to the petitioner on 31.12.2022. He further submitted that in regard to payment of interest for the belated payment, she will give a representation to the concerned authority, within the time that may be stipulated by this Court.

4. In view of the above submission made by the learned Counsel appearing for the petitioner, the petitioner is directed to give a representation to the concerned officer, who may consider and pass orders on merits and in accordance with law for claiming interest for the belated payment of pension arrears to the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of with the above directions. There shall be no order as to costs.

25.10.2024

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



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J.SATHYA NARAYANA PRASAD, J.

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