



W.P.No.24921 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

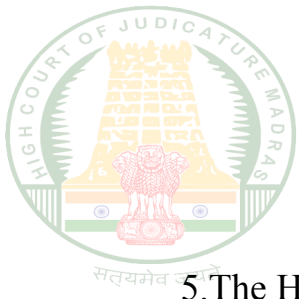
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Saraswathy

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Department of School Education,
Rajaji Salai, Secretariat,
Chennai – 600 009.
- 2.The Principal Educational Officer,
Principal Educational Office,
District Collectorate,
Perambalur – 621 212.
- 3.The District Educational Officer,
District Educational Office,
Perambalur – 621 212.
- 4.The Accountant General,
Principal Accountant general Office,
No.361, Anna Salai, Teynampet,
Chennai – 600 018.



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5.The Head Master,
Government Higher Secondary School,
Ladapuram,
Perambalur District – 621 101.

6.Parvathi

7.Banumathi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to consider the representation dated 04.04.2025 and disburse the pension benefits of petitioner's husband Late.Pitchaipillai to the petitioner.

For Petitioner : Mr.P.Thamizh Vendan

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R3 & R5

Mr.A.N.R.Jayaprathap
Standing Counsel
for R4

ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus to direct the 1st respondent to consider the representation dated 04.04.2025 and disburse the pension benefits of petitioner's husband Late.Pitchaipillai to the petitioner.



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2. The learned counsel for the petitioner would submit that she is the wife of one Pitchaipillai and 7th respondent is the daughter of Pitchaipillai through his 1st wife Parvathi, who arrayed as 6th respondent. According to the petitioner, her husband Pitchaipillai divorced the 6th respondent Parvathi in HMOP.No.71 of 2008 vide order dated 25.03.2008. She married the Pitchaipillai subsequent to the divorce of the 6th respondent. Hence, she and the 7th respondent are the only legal heirs of Pitchaipillai. It is the further submission of the petitioner that her husband died on 20.01.2018, the respondents did not pay the family pension to the petitioner. She has sent representation dated 04.04.2024 to the respondents, and such representation is kept pending. Hence the present writ petition.

3. At this juncture, the learned Special Government Pleader appearing for the R1 to R3 and R5 would strongly object that there are no proof to show that the petitioner is the wife of the Pitchaipillai and there is a delay of more than 7 years in filing the present writ petition. Hence, prayed to dismiss this writ petition.



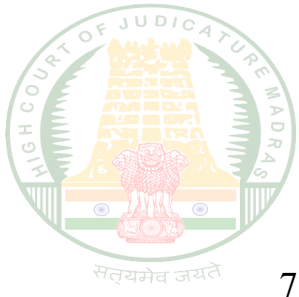
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4. Heard the learned counsel for both sides and perused the materials available on record.

5. Admittedly, the Pitchaipillai died on 20.01.2018. However, while looking into the facts of the case, though the factum of the marriage is disputed by the respondent, the fact remains that the petitioner's representation is pending with the respondent.

6. In such view of the facts and circumstances, without going into the merits of this Writ Petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 04.04.2025, after issuance of notice to the private respondents, and after giving an opportunity of hearing to them, pass orders on its own merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. It is made clear that the petitioner is also directed to submit the relevant documents as required by the respondents and directed to dispose the same within the aforementioned time.



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7. In the result, this Writ Petition is disposed of with the above observations. No costs.

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Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
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C.KUMARAPPAN, J.

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