



W.P.No.26696 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM:

THE HONOURABLE Mr.JUSTICE VIVEK KUMAR SINGH

W.P.No.26696 of 2022
and W.M.P.NO.23166 of 2023

1. T.Balambal

... Petitioner

Vs.

1. The Principal Accountant General (Accounts & Entitlement) Office,
No.361, Annasalai, Chennai-18.

2. The Commissioner,
Corporation of Coimbatore,
Coimbatore-1.

3. The District Elementary Educational Officer,
Coimbatore,
Coimbatore-641 001.

4. The Corporation Education Officer,
Coimbatore Corporation,
Coimbatore-641 001.

... Respondents

Prayer: This Writ petition has been filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus to direct the respondents to consider the petitioner's representations dated 08.02.2021



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and 27.11.2021 consequently direct the respondents to sanction family pension, including arrears of benefits with respect to petitioner's husband late Thiagarajan to the petitioner.

For Petitioner : Mr.S.N.Subramani
For R1 : Mr.P.Mano Rajan
Standing Counsel for The Principal
Accountant General (Accounts & Entitlement) Office,
For R2 & R4 : Mr. Najeeb Usman Khan
For R3 : Ms. Akila Rajendran

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representations dated 08.02.2021 and 27.11.2021 and consequently, to direct the respondents to sanction family pension, including arrears of benefits with respect to the petitioner's husband late Thiagarajan, to the petitioner.

2. The brief facts of the case as per the affidavit enclosed to this Writ Petition are that the petitioner's husband R.Thiagarajan was

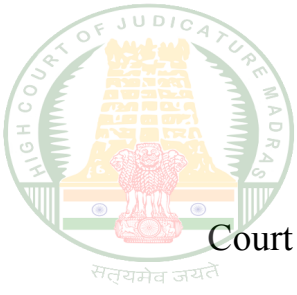


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working as Weaving Instructor in the Corporation School, Masakalipalayam, Singanallur Udayampalayam, Vellaloor from 12.10.1955. Due to his ill health, he resigned his job after completion of 18 years during 1973 and he was allowed to retire from service. Thereafter, the petitioner's husband sent a representation to the Hon'ble Chief Minister Special Grievance Cell. Subsequently, on the recommendation of CM Cell, the 3rd respondent recommended to give pension to the petitioner's husband on 12.01.1998. Further, the second respondent addressed a proceedings dated 29.07.1998 to the first respondent requesting to take steps to give pension to the petitioner's husband. In the year 2011, the petitioner's husband died due to illness. Subsequently, the petitioner approached several authorities for family pension and made representations on 08.02.2021 and 27.11.2021. However, till date, the respondents have not passed any order on the petitioner's representations. Hence, the petitioner has filed this Writ Petition seeking the aforesaid relief.

3. Heard both sides and perused the records.

4. Considering the facts and circumstance of this case, this



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Court is inclined to issue the following directions:

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i) the petitioner shall submit a fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order.

ii) On receipt of such representation from the petitioner, the first respondent is directed to consider and dispose of the same by passing a speaking order in accordance with law by considering the merits of the case within a period of one month thereafter. It is also made clear that if family pension and other pensionary benefits are due to the petitioner, they shall be released forthwith or otherwise, the first respondent has to clearly state the appropriate reason for non release of the same to the petitioner.

5. With the above directions, this Writ Petition is disposed of.

No costs.

31.01.2025

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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To

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VIVEK KUMAR SINGH, J

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