



W.P.(MD).No.967 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.967 of 2025

T.Krishnamani

... Petitioner

Vs

1. The Principal Accountant General (A&E),
361, Anna Salai, Teynampet,
Chennai-600 018.

2. The District Programme Officer (ICDS),
Alwarthirunagari,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue Family pension to the petitioner's elder Daughter Saravana Priya by considering her representation dated 04.12.2024 and consequently recognizing her younger daughter Jeyanathi as nominee and care giver for Saravana Priya.

For Petitioner

: Mr.S.Selva Kumar

For Respondent No.1

: Mr.Chamundi Bose
Standing Counsel

For Respondent No.2

: Mr.A.Baskaran,
Additional Government Pleader



W.P.(MD).No.967 of 2025

ORDER

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The instant writ petition has been filed by a retired employee of the second respondent, seeking a mandamus to issue family pension to the petitioner's elder daughter Saravana Priya, recognizing her younger daughter Jeyanthi as Nominee and care giver for Saravana Priya.

2. A perusal of the records reveal that the petitioner has attained superannuation on 30.04.2019 and she is receiving pension. It is the contention of the petitioner that his elder daughter namely Saravana Priya is a mentally challenged person and the petitioner seeks to appoint her younger daughter Jeyanthi as nominee and care giver for Saravana Priya and the family pension could be paid to the elder daughter. In view of the above, the petitioner sent a representation to the first respondent.

3. The learned Additional Government Advocate appearing for the first respondent would submit that the first respondent by his proceedings dated 26.11.2024, requested the second respondent to inform the petitioner to obtain a fresh medical certificate, duly specifying the date of manifestation of the disability, for further action. This order was passed by the first respondent



W.P.(MD).No.967 of 2025

WEB COPY

on 26.11.2024, but the petitioner has not subjected her elder daughter for further medical examination and she has not obtained any medical certificate. Therefore the respondents are not in a position to redress the request of the writ petitioner.

4. Considering the above said facts, this Court is inclined to pass the following order:

a) The writ petitioner is directed to be present before the Medical Board along with her elder daughter namely Saravana Priya for Medical Examination and get medical certificate as called for by the first respondent by his proceedings dated 26.11.2024 indicating the date of manifestation of the disability.

b) The writ petitioner is directed to submit the Medical report to the second respondent herein within a period of four weeks from the date of receipt of Medical Certificate.



W.P.(MD).No.967 of 2025

WEB COPY

c) The second respondent is directed to forward the medical report to the first respondent within a period of four weeks from the date of production of the medical certificate by the writ petitioner. On receipt of the same, the first respondent is directed to pass final orders on merits and in accordance with law within a period of eight weeks thereafter.

5. With the above said observations, this writ petition is disposed of.

No costs.

30.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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W.P.(MD).No.967 of 2025

WEB COPY

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W.P.(MD).No.967 of 2025

R.VIJAYAKUMAR,J.

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W.P(MD)No.967 of 2025

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