

W.P.(MD) No..2983 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)No.2983 of 2025

K.Durairaj

... Petitioner

Vs.

1. The Principal Accountant General,
A and E Tamil Nadu,
No.361, Anna Salai, Teynampet,
Chennai 600 018

2. The Superintending Engineer ,
PWD, Building (C and M) Circle,
Thoothukudi 628 001

3. The Executive Engineer,
PWD Building (C and M) Circle,
Thoothukudi 628 001

4. The Treasury Officer ,
District Treasury,
Tirunelveli 627 001

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the third respondent to forward the petitioner family pension proposal after receiving the same the 1st respondent sanctioning the family pension to the petitioner within the time frame to be fixed by this Court.

For Petitioner	: Mr.A.Dharani
For R1	: M/s. S.Mahalakshmi
For R2 to R4	: Mr.D.Sachi Kumar
	Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a writ of mandamus directing the third respondent to forward the petitioner's family pension proposal to the first respondent and to direct the first respondent to sanction the family pension to the petitioner after receiving the proposal from the third respondent within a time frame to be fixed by this Court.

2.Heard the learned Counsel for the petitioner, the learned Additional Government Pleader appearing for the respondents 2 to 4 and the learned counsel appearing for the respondent No.1 and perused the materials available on record.

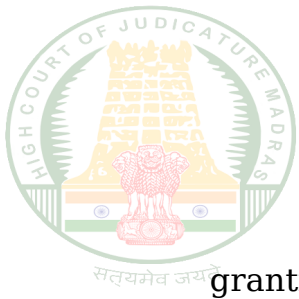


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3. During the course of hearing, Mr.D.Sachi Kumar, learned Additional Government Pleader appearing for the respondents 2 to 4, on written instructions, would submit that the husband of the petitioner died on 15.05.2024 and the petitioner made a representation dated 04.12.2024 for family pension. The learned Additional Government Pleader would further submit that some original documents are required to process her request and to send the proposal for family pension of the petitioner to the first respondent and therefore, the third respondent sent a letter dated 22.01.2025 to the petitioner to furnish the original documents mentioned in the said letter.

4. Considering the facts and circumstances of the case, it appears that the petitioner has to submit some more original documents to the third respondent to process her request for family pension and to send proposal to the first respondent. Under these circumstances, this Court cannot issue writ of mandamus as prayed for in this writ petition.

5. Considering the facts and circumstances, this writ petition can be disposed of without going into the merits of the case



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granting liberty to the petitioner to furnish the documents as sought for in the letter dated 22.01.2025 by the third respondent to meet the interest of justice.

6. Accordingly, this writ petition is disposed of granting liberty to the petitioner to furnish the original documents as directed by the third respondent in his letter dated 22.01.2025 within a period of one week from today. On receipt of the original documents from the petitioner, the third respondent shall forward the proposal to the first respondent to sanction family pension to the petitioner.

There shall be no order as to costs.

10.02.2025

NCC : Yes/No

Index: Yes/No

Internet : Yes

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To

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BATTU DEVANAND, J.

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