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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1591 of 2024

Valarmathi

..Appellant(s)

Vs

1. Sushila
2. The Zonal Accounts Officer
485, MTB Building, Anna Salai, Teynampet,
Chennai – 600 018.
3. The Chief Educational Officer
Murungapakkam, Tindivanam,
Villupuram Dt -604 001.
4. The Head Master
Government Higher Secondary School,
Avvayarkuppam, Tindivanam Dt,
Villupuram District – 604 304.

..Respondent(s)

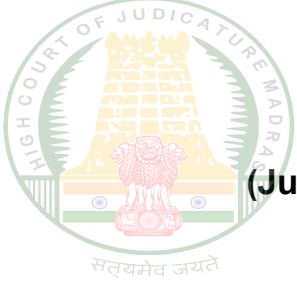
Writ Appeal filed under Clause 15 of the Letters Patent issuing writ of mandamus to set aside the order dated 08.04.2024 in W.P.No.610 of 2022 passed by this Court and thus render justice.

For Appellant(s):

Mrs.Hema Sampath
Senior Counsel
for Ms.R.Meenal

For Respondent(s):

Mr.A.Aashik Kareem, for
Ms.V.Srimathi for R1,
Dr.R.Gouri, Government Counsel for R2 to R4



JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

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The present intra court appeal has been instituted by the writ petitioner challenging the order dated 08.04.2024 in W.P.No.610 of 2022.

2. The issue mainly raised in the writ petition is whether the appellant, wife of the deceased Government employee is entitled to receive Death-cum-Retirement Gratuity benefits, contrary to the nomination made by the deceased Government employee in favour of the 1st respondent, who is none other than the mother of the deceased employee.

3. Writ Court considered Rule 48 and 49 of Tamil Nadu Pension Rules, 1978 (for brevity, hereinafter referred to as 'Rules, 1978') and held that the appellant, wife of the deceased employee alone is entitled to receive the family pension, but Death-cum-Retirement Gratuity payable under Rule 45 of the Rules, 1978 is concerned, nominee is entitled.

4. In the present case, Government servant nominated his mother, who would fall under the definition of "*Family*". Thus, there is no infirmity in respect of the nomination made in the context of Rule 48(1) (i) of Rules, 1978.

5. Learned counsel for the appellant would submit that even family pension under Rule 49 has not been disbursed to the appellant. Writ Court in



paragraph 8 of the order, made it clear that as far as the family pension is concerned, under Rule 49, only wife of the deceased employee is entitled to receive family pension.

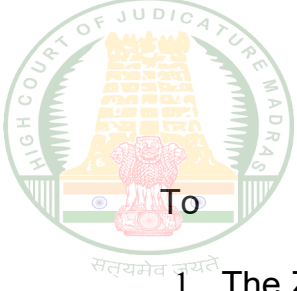
6. In view of the above position, Death-cum-Retirement Gratuity payable to the deceased employee was already settled as per the nomination in favour of the 1st respondent, who is the mother of the deceased employee. As far as the family pension is concerned, official respondents are directed to settle the family pension in favour of the appellant under Rule 49 of Rules, 1978 by following the procedures as contemplated, and within a period of 12 weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ appeal is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (N.S.,J.)
30-06-2026

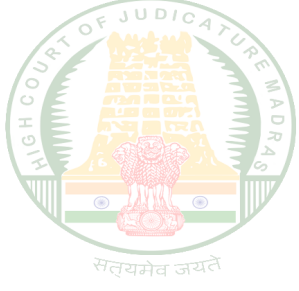
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD



To

1. The Zonal Accounts Officer
485, MTB Building, Anna Salai, Teynampet,
Chennai - 018.
2. The Chief Educational Officer
Murungapakkam, Tindivanam, Villupuram Dt -
001.
3. The Head Master
Government Higher Secondary School,
Avvayarkuppam, Tindivanam Dt, Villupuram Dt
- 304.



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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

GD

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