



WEB COPY

WP No. 27796 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 27796 of 2026

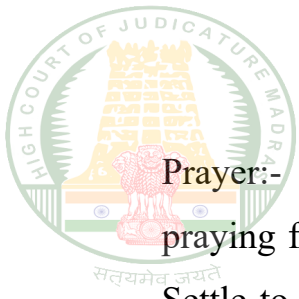
Maaniammal

..Petitioner(s)

Vs

1. The State Of Tamil Nadu rep by its
Principal Secretary to Government,
Department of Municipal Administration and
Water Supply,
Fort St. George,
Chennai-09.
2. The Director of Municipal Administration
Urban Administrative Buildings,
Santhome High Road,
Raja Annamalaipuram,
Chennai-028.
3. The Director of Local Fund Audit
Integrated Complex for finance Department,
Veterinary Hospital Complex,
Nandanam,
Chennai-035.
4. The Commissioner
Namakkal Municipality,
Namakkal.
5. Poongodi
No.64/8C, 2nd Cross Street,
Jettykula Street,
Namakkal- 637 001.

..Respondent(s)



Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus to direct the respondents 1 to 4 to Settle to the petitioner the family pension and other pensionary benefits of Petitioners deceased husband R.Thangavel with all consequential service and monetary benefits.

For Petitioner(s): Mr.R.Prem Narayan

For Respondent(s): Mr.L.Gokulraj, GA for R.1 to R3
Dr.T.Seenivasan, Standing Counsel for R4.

ORDER

This Writ Petition has been filed for the following reliefs:-

“to direct the respondents 1 to 4 to Settle to the petitioner the family pension and other pensionary benefits of Petitioners deceased husband R.Thangavel with all consequential service and monetary benefits.”

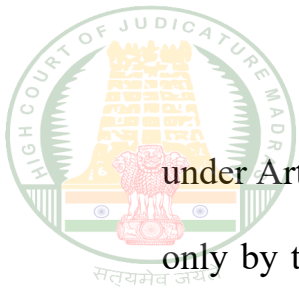
2. The petitioner would submit that she is the legally wedded wife of late Mr.R. Thangavel, who was employed as a Sweeper in the regular time scale of pay in the Namakkal Municipality. According to the petitioner, their marriage was solemnised on 23.01.1991 in accordance with Hindu rites and customs and was subsequently registered under the provisions of the Tamil Nadu Hindu Marriage (Registration) Rules, 1967 in Serial No.1 of 1991 on the file of the Registrar of Marriages, Namakkal. Out of the said wedlock, they have a son, namely, Karthick. The petitioner's husband died while in service on 25.04.2024, leaving behind the petitioner and their son as his legal heirs.



3. The petitioner would further submit that when she applied for settlement of the family pension and other terminal benefits payable on account of the death of her husband, the 4th respondent informed her that the 5th respondent had also submitted an application claiming to be the legally wedded wife of the deceased employee. According to the petitioner, the 5th respondent had unlawfully obtained the Death Certificate of the deceased by describing herself as his wife and had also managed to have her name entered as the wife of the deceased in his Service Register. The petitioner, claiming to be the legally wedded wife of the deceased, submitted a representation to the 4th respondent seeking settlement of the family pension and other pensionary benefits in her favour. Since no orders have been passed on the said representation, the petitioner has approached this Court by filing the present Writ Petition seeking for the reliefs stated supra.

4. Heard the learned counsel on either side and perused the records. By consent of the learned counsel on either side, the matter was taken up for final disposal at the stage of admission.

5. In the present case, both the petitioner and the 5th respondent claim to be the wife of the deceased employee. The dispute as to who is the legally wedded wife cannot be decided by this Court in exercise of its jurisdiction



under Article 226 of the Constitution of India. Such a disputed has to be decided only by the competent Civil Court. Further, the respondent authorities, are not competent to decide the rights of the rival claimants. Therefore, the Writ Petition is not maintainable.

6. Accordingly, the Writ Petition stands dismissed. The petitioner is at liberty to work out her remedy before the competent Civil Court. No costs.

17-07-2026

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

SHR

To

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