



WP(MD)No.4918 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02/07/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.4918 of 2025
and WMP(MD)No.3573 of 2025

Y.Chandragandhi

... Petitioner

Vs

1. The Principal Accountant General
(Accounts and Entitlements),
No.361, Anna Salai,
Teynampet, Chennai - 600 018..

2. The Block Educational Officer,
Andipatti, Theni - 625 512.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 17.12.2024 in Letter No. P10/11033507/ADK/1121 on the file of 1st respondent and quash the same and consequently direct the respondents to sanction the family pension for the petitioner from the date of the death of the petitioners husband within a time limit stipulated by this Court.

For Petitioner : Mr.I. Romeo Roy Alfred

For R1 : Mr.P.Gunasekaran

For R2 : Mr.M.Dinesh Hari Sudarsan

Counsel for Government of Tamil Nadu(Civil Side)



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ORDER

The husband of the petitioner herein worked as Secondary Grade Teacher at Andipatti Block, Theni District and retired from service on attaining the age of superannuation on 30.06.1998. Thereafter, he was paid pension till the date of his demise on 13.04.2024. It was thereafter the petitioner made a claim for payment of family pension and the same was considered by the second respondent and the proposal was submitted to the first respondent for grant of family pension in favour of the petitioner. Through the proceedings dated 07.12.2024, the same proposal was returned to the second respondent stating that the deceased Government servant has furnished family details that he had two wives and son whereas the legal heir certificate issued by the Tahsildar, Andipatti, refers to only one wife and therefore, the first respondent required submission of a correct legal heir certificate obtained from the court of law so as to consider the claim of the petitioner for grant of family pension. Aggrieved by the said proceeding dated 17.12.2024, the petitioner has approached this Court by filing the present writ petition.



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2.The learned counsel for the petitioner contended that the deceased Government servant while submitting his pension proposals has mentioned the name of the petitioner herein and one another person by name Arul Mani as wives and one Gnana Vigneshwar as his son and his parents' names were also mentioned as nominees. He further submitted that the second wife by name, Arul Mani passed away as early as on 03.12.2007. The petitioner, being the first wife of the deceased Government servant, is entitled to family pension, but the same is being delayed by the first respondent on frivolous grounds. He also submits that the name of the petitioner is entered in the Service Register as wife of the deceased employee while the deceased employee was in service and therefore, there cannot be any dispute about the legal status of the petitioner being the first wife of the deceased Government servant.

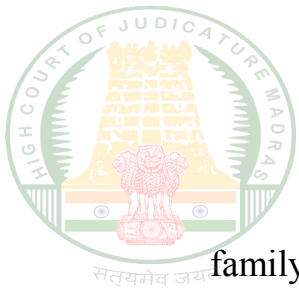
3. No counter affidavit has been filed by the first respondent. However, the second respondent filed counter affidavit stating that the name of the petitioner was mentioned as nominee for family pension in the Service Register of the deceased Government servant and the name of the petitioner herein was also mentioned as wife in the legal heir



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certificate issued by the Tahsildar, Andipatti and basing on the strength of the same, the second respondent has submitted proposals for grant of family pension in favour of the petitioner.

4. As seen from the counter filed by the second respondent, it appears that there is no dispute about the status of the petitioner being the wife of the deceased Government servant. In the absence of any dispute about the status of the petitioner being the wife of deceased Government servant, especially from the fact that the name of the petitioner was also entered in the Service Register of the deceased Government servant and the same is also reflected in the legal heir certificate issued by the Tahsildar concerned, the objection raised by the first respondent for refusing to process the proposal submitted by the second respondent for grant of family pension in favour of the petitioner is bound to be declared as hyper technical. In the absence of any dispute about the status of the petitioner being the wife of the deceased Government servant whose name was also entered in the service Register as nominee for family pension, the first respondent ought to have processed the proposal submitted by the second respondent and ought to have released the



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family pension in favour of the petitioner. Unfortunately, the first respondent, having taken note of the legal heir certificate issued by the competent authority evidencing the status of the petitioner as wife of the deceased Government servant, refused to process the same solely on the ground that the deceased Government servant has mentioned the names of two wives and son as his family members. The other person, who was also admittedly mentioned as the wife of the deceased Government servant passed away as early as on 31.12.2007 that is much prior to the date of demise of the Government servant. After the demise of the said Arul Mani on 31/12/2007, the petitioner and the deceased Government servant continue to live as wife and husband and therefore, for this reason also, the first respondent ought not to have returned the proposals to the second respondent by raising frivolous doubts.

5. In the light of the above, in the considered view of this Court, the impugned proceeding dated 17.12.2024 cannot be sustained and the same is accordingly quashed. Consequently, the second respondent is directed to resubmit the proposals for grant of family pension to the first respondent within a period of three weeks from the date of receipt of a



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copy of this order and on submission of the said proposal by the second respondent, the first respondent shall process the same and release family pension and all arrears of family pension as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of the proposal submitted by the second respondent.

6. In fine, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

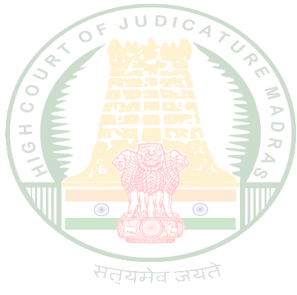
02.07.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
CM

TO

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MUMMINENI SUDHEER KUMAR,J

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