



W.P.(MD)No.22993 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11.08.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P.(MD)No.22993 of 2026

Sabi Rabi

... Petitioner

Vs

1.The Officer-in-Charge,
Army Ordinance Corps (AOC) Records,
C/o 56 APO,
Secunderabad - 900453.

2.The Secretary,
Department of Ex-Servicemen Welfare,
Ministry of Defence,
New Delhi - 110011.

3.The Director,
Directorate of Ex-Servicemen Welfare,
No.22, Raja Muthiah Salai,
Choolai,
Chennai - 600003.

4.The Deputy Director / Zila Sainik Welfare Officer,
Ex-Servicemen Welfare Office,
19-A, Warners Road,
Cantonment,
Tiruchirappalli - 620001.



W.P.(MD)No.22993 of 2026

5.The Officer-in-Charge,
Army Pension Office,
Principal Controller of Defence Accounts,
C/o PCDA (Pensions),
Prayagraj,
Uttar Pradesh - 211014.

6.The Secretary to the Government of India,
Ministry of Defence,
Department of Military Affairs,
South Block,
New Delhi - 110011.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to consider the representation dated 08.02.2026 submitted by the petitioner and grant the eligible welfare benefits, including monthly financial assistance to the widow of the deceased Ex-Serviceman, by verifying the eligibility through available service records, discharge records, verification of the Service Number or certification from competent local authorities, without insisting upon production of documents which are impossible to obtain after several decades, and consequently direct the 3rd respondent to disburse the eligible monthly financial assistance along with arrears from the year 1981, being the year of death of the Ex-Serviceman, till date, within a time frame to be fixed by this Court.



WEB COPY



W.P.(MD)No.22993 of 2026

For Petitioner : Mr.M.Vivek Bharathi

For Respondents : Mr.C.Jeganathan
Special Government Pleader for R3, R4
Ms.B.Deepa,
Central Government Standing Counsel
for R1, R2, R5 and R6

ORDER

The petitioner is the widow of a Sepoy. Her husband, Mohammed Yossuf, was enrolled in the Army Ordnance Corps (AOC) on 06.10.1943 and discharged from service on 03.07.1947. He had rendered 3 years 8 months and 27 days of service in the AOC. The petitioner claims that her husband died in the year 1981. The petitioner submitted a representation to the first respondent seeking pensionary benefits. By communication dated 03.03.2026, the same was rejected by the first respondent, stating that the services of her husband were not eligible for pension and, therefore, family pension cannot be granted as per Para 132 of the Pension Regulations, 1961. However, she was informed that, as a non-pensioner widow (up to the rank of Havildar), she is eligible for Penury Grant after attaining 65 years of age. Therefore, she was informed to approach the nearest Zilla Sainik Board/Kendriya Sainik Board along with her Aadhaar Card and PAN Card for further processing through the



W.P.(MD)No.22993 of 2026

Zilla Sainik Board. The petitioner claims that she approached the fourth respondent, Zilla Sainik Welfare Officer, Ex-Servicemen's Welfare Office, Tiruchirappalli in this regard. However, the fourth respondent has insisted upon production of the death certificate and legal heir certificate. The petitioner is around 81 years of age and, without any help, she is unable to collect those documents as directed by the fourth respondent. In these circumstances, the petitioner has filed this Writ Petition seeking a Writ of Mandamus directing the third respondent to provide the eligible welfare benefits to the petitioner within a stipulated time.

2. Mr.C.Jeganathan, learned Special Government Pleader, takes notice for respondents 3 and 4 and Ms.B.Deepa, learned Central Government Standing Counsel, takes notice for respondents 1, 2, 5 and 6.

3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD)No.22993 of 2026

4. The learned counsel appearing for the petitioner submits that the petitioner's husband died in the year 1981. The petitioner is not an educated lady and, therefore, she had not arranged for any death certificate at the relevant point of time. However, she has been recognised as a widow and an ID card has also been issued by the third respondent. She is fighting for the pension for the past 20 to 30 years. She has been informed through the proceedings dated 03.03.2026 that she is entitled only to the Penury Grant and is not entitled to pension benefits. Even for getting this eligible Penury Grant, the authorities are insisting upon a death certificate and a legal heir certificate. This Penury Grant is meant only for the widow of a soldier. The petitioner has already been recognised as the widow of a Sepoy and an ID card has been issued. The petitioner was also provided with funeral grant from the third respondent, the Director, Directorate of Ex-Servicemen Welfare, Chennai on 09.11.1981. The learned counsel submits that the petitioner is immobilised and cannot approach the authorities to get the benefits. Therefore, he requests that the Penury Grant benefits, which are only for the widow of a Sepoy, can be considered and granted based on the ID card available with the petitioner.



W.P.(MD)No.22993 of 2026

5. The learned Special Government Pleader appearing for respondents 3 and 4 submits that, on production of the death certificate and legal heir certificate alone, the request of the petitioner can be processed. In the event the petitioner provides the above certificates, it would be processed and sanctioned within a period of four weeks.

6. This Court has considered the rival submissions made.

7. The petitioner is a widow and an octogenarian. The learned counsel for the petitioner claims that the petitioner is immobilised and she has been issued with an ID card recognising her as the widow of a Sepoy who served in the Indian Army during the year 1943 to 1947. The petitioner's husband's services have been recognised by the first respondent and the petitioner has been informed, on her request for pension, that she is not eligible for any family pension. However, she is entitled to a Penury Grant. For granting this Penury Grant, the authorities are insisting upon a death certificate and a legal heir certificate.



W.P.(MD)No.22993 of 2026

8. From the communication of the first respondent dated 03.03.2026, it appears that this Penury Grant itself is meant only for the widow of a Sepoy. It is seen that the third respondent has already recognised the petitioner as a widow of Sepoy and has issued an ID card on 21.01.1997. In the said ID card, the identity of the petitioner's husband has been mentioned as Regiment Corps: AOC No.96406 and the date of death of her husband is mentioned as 1981.

9. Considering the fact that the petitioner has already been recognised by the third respondent as the widow of a Sepoy, the fact that this benefit of Penury Grant is only for the widow of a Sepoy and also taking into consideration of the age and health condition of the petitioner, the third and fourth respondents are directed to consider the application of the petitioner dated 08.02.2026 sympathetically with the available materials and grant eligible benefits to the petitioner from the date of her application. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.



W.P.(MD)No.22993 of 2026

10. Accordingly, this Writ Petition is disposed of. No costs.

WEB COPY

11.08.2026

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Speaking / Non-Speaking order

Index: Yes/No

NCC: Yes/No

Internet: Yes

To

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C/o 56 APO, Secunderabad - 900453.

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W.P.(MD)No.22993 of 2026

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W.P.(MD)No.22993 of 2026

B.PUGALENDHI, J.

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W.P.(MD)No.22993 of 2026

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