



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
W.P. (MD) No.19837 of 2018

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E.Sagaya Arockiaraj

... Petitioner

Vs.

1.The Internal Audit Officer (Pension),
Tamil Nadu Electricity Board,
Board Office, Audit Branch,
NPKRR Maligai I Floor,
No.144, Anna Salai,
Chennai 600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinayakanpatti,
Dindigul - 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction family pension to the petitioner based on his representation dated 04.10.2017 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.Dhayalan, G.A.

O R D E R

The petitioner has come forward with the present Writ petition to issue a Writ of Mandamus, directing the respondents to sanction family pension to the petitioner based on his representation dated 04.10.2017 within a time frame.

2.Mr.Dhayalan, learned Government Advocate takes notice for the respondents. By consent, the Writ petition is taken up for final disposal at the admission stage itself.

3.At the age of 40, the petitioner has come forward with the present Writ petition, seeking family pension on the ground that his father has retired on 23.10.1997 and died on 08.03.2004 and hence, he has also made a representation on 04.10.2017.

4.Admittedly, the petitioner is not entitled to claim family pension as he has crossed 25 years of age. Apart from that the legal heir certificate clearly indicates that the petitioner has got two sisters. The two daughters, who are dependents of the deceased employee, are entitled to seek family pension and in the present case the petitioner's sisters have not approached this Court seeking



such relief. In the present case, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ petition is dismissed. No costs.

Sd/

Assistant Registrar(CS-II)

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/True copy/

Sub Assistant Registrar(CS-I)

To

1.The Internal Audit Officer (Pension),
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Dindigul - 2.

+1cc to Mr.A.D.Ganeshamoorthi, Advocate, SR.No.85031

W.P. (MD) No.19837 of 2018

NBJ

KK/RP/SAR-1/30.11.2018/2P-4C