

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2210 of 2019

T.Vasantha

... Petitioner

Versus

1. The General Manager,
Tamilnadu State Transport Corporation
(Viz-III) Ltd., Kanchipuram Region,
Bangalore - Chennai High Way,
Ponnerikarai, Kanchipuram,
Kanchipuram District.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan salai, Chennai - 600 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to sanction Family pension to the petitioner from March 2016.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mrs.Rajini Ramadoss

O R D E R

The relief sought for in the present writ petition is to direct the respondents to sanction Family pension to the petitioner from March 2016.

2. The learned counsel for the writ petitioner made a submission that the deceased employee Late.Mr.Thiruvengadam has two wives. The writ petitioner is the second wife. The family pension was initially sanctioned to the children of the deceased employee, till they attained the age of 21 years as per the pension scheme.

3. The learned counsel for the writ petitioner states that the name of the writ petitioner is entered as wife in the service register of the deceased employee and therefore, the writ petitioner is entitled for family pension. The fact remains that, the writ petitioner married the deceased employee during the life time of the first wife. Thus, the second marriage itself is void and the second wife of the Government employee is not entitled for family pension as per the pension scheme.

4. When the fact regarding the second marriage during the life time of the first wife is established, this Court is of the considered opinion that, the writ petitioner is not eligible to get family pension in accordance with the pension rules and therefore, the relief as such sought for in the present writ petition is devoid of merits and stands dismissed. No Costs.

Sd/-
Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

Pkn

To

1. The General Manager,
Tamilnadu State Transport Corporation
(Viz-III) Ltd., Kanchipuram Region,
Bangalore - Chennai High Way,
Ponnerikarai, Kanchipuram,
Kanchipuram District.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Pallavan salai, Chennai - 600 002.

+1cc to Mr.S.T.Varadarajulu, Advocate Sr.17833
+1cc to Mr.S.Rajeni Ramadass, Advocate Sr.18289

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srg 28/03/2019