

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2021

C O R A M

**THE HONOURABLE MR.JUSTICE M.GOVINDARAJ**

**W.P.No.4560 of 2020**

A.Kanniammal

... Petitioner

Vs.

1.The Chairman,  
Chennai Port trust,  
Rajaji Salai,  
Chennai - 600 001.

2.The Chief Engineer,  
Engineering Department,  
Chennai Port Trust,  
Rajaji Salai,  
Chennai - 600 001.

3.The Accounts Officer (Pension)  
O/o.Financial Advisor & Chief Accounts Officer,  
Chennai Port Trust,  
Rajaji Salai,  
Chennai - 600 001.

... Respondents

**Prayer:** Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus, directing the first respondent to grant family pension to the petitioner with effect from 09.06.1996 and grant such other relief.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.S.Haja Mohideen Gisthi

**ORDER**

The present writ petition has been preferred by the wife of Late M.Arjunan, seeking disbursement of family pension with effect from 09.06.1996.

2. The factum of the case is that the entitlement of pension to the petitioner is disputed by the respondents on the basis of certain letters issued by the deceased employee. Even the identity of the petitioner is doubted. The respondent submits that the deceased employee retired on 30.06.1991 but a claim for family pension has been made after a period of 40 years. Even during his life time and while remaining in service the deceased employee had given a letter that petitioner had deserted him and she is not entitled to receive any benefits and nominated his son to receive all the terminal benefits due to him. Since this matter involves so many factual disputes, a direction as prayed for by the petitioner cannot be granted and the petitioner can approach the Civil Court for redressing her grievances.

3. The writ petition is disposed of accordingly. No costs.

15.04.2021

Pns

Index: Yes/No

Internet: Yes/No

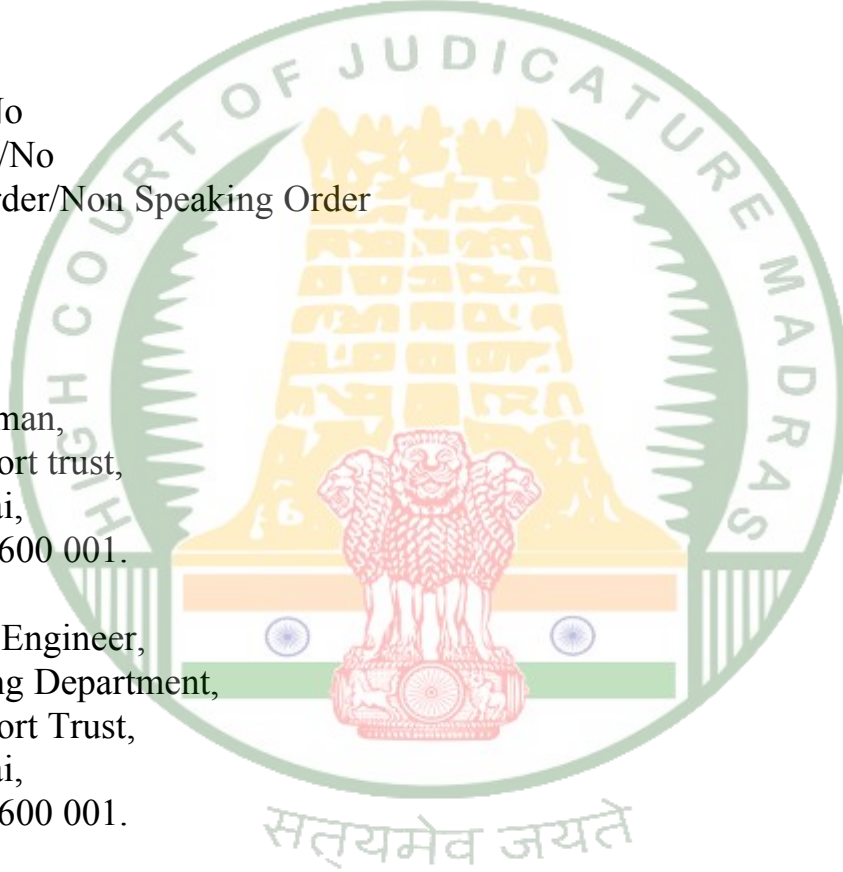
Speaking Order/Non Speaking Order

To

1. The Chairman,  
Chennai Port trust,  
Rajaji Salai,  
Chennai - 600 001.

2. The Chief Engineer,  
Engineering Department,  
Chennai Port Trust,  
Rajaji Salai,  
Chennai - 600 001.

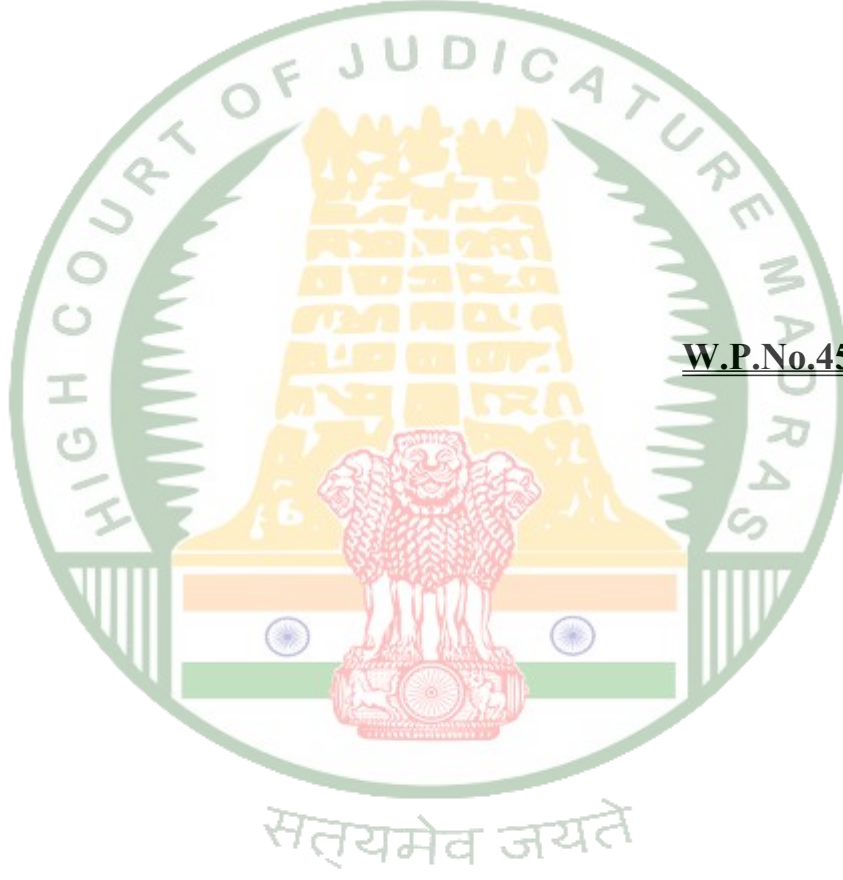
3. The Accounts Officer (Pension)  
O/o. Financial Advisor & Chief Accounts Officer,  
Chennai Port Trust,  
Rajaji Salai,  
Chennai - 600 001.



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**M. GOVINDARAJ, J.**

Pns



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**15.04.2021**