



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.23317 of 2021

Y.Elizabeth

...Petitioner

Vs.

1. Union of India rep. by
The General Manager,
Southern Railway,
Park Town,
Chennai - 3.
2. The Chief Workshop Manager,
Loco Workshop, Ayanavaram,
Southern Railway,
Chennai - 600 023.
3. The Registrar,
The Central Administrative Tribunal,
Chennai Bench,
Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order of the 3rd respondent made in O.A.No.310/164/2019 dated 14.02.2019 to quash the same and to consequently, direct the respondents 1 and 2 to sanction family pension and other terminal benefits with admissible interest thereon.

For petitioner : Mr.L.Chandrakumar

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM,J)

This writ petition is filed challenging the order of the 3rd respondent, Central Administrative Tribunal, Madras Bench in



O.A.No.310/164/2019 dated 14.02.2019 and seeking consequential direction to the respondents 1 and 2 to sanction family pension and other terminal benefits with admissible interest thereon.

2.The Original Application was filed challenging order of the second respondent, wherein, the pension sought for by the petitioner was rejected vide order dated 06.07.2018. The Central Administrative Tribunal having found that the petitioner's husband has not having qualified service, dismissed the Original Application. Challenging the same, the present writ petition has been filed.

3.It is an admitted fact that the husband of the petitioner, namely, K.Yesupatham entered into service of the respondent Organization on 25.06.1971 and he died in harness on 04.03.1979. But the death of the petitioner's husband was not intimated to the employer. The petitioner approached the authorities and made representation dated 12.02.2018 seeking family pension and the same was rejected on the ground that the petitioner's husband had less then 10 years of service and he was dismissed from service for authorised absence. In the light of the undisputed fact stated supra, we find no illegality in the conclusion reached by the Central Administrative Tribunal warranting interference of this Court.

4.In that view, this Writ Petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

skn

To

1. The General Manager,
Southern Railway,
Park Town,
Chennai - 3.
2. The Chief Workshop Manager,
Loco Workshop, Ayanavaram,
Southern Railway,
Chennai - 600 023.



3. The Registrar,
The Central Administrative Tribunal,
Chennai Bench,
Chennai.

WEB COPY

+1CC to Mr.L.Chandrakumar, Advocate, Sr.No.56336

W.P.No.23317 of 2021

CP (CO)
K.RK. (26.11.2021)