



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

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WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P.(MD) No.236 of 2021

T.Pappa

.. Petitioner

Vs.

1.The Internal Audit Officer (Pension),
Audit Branch,
NPKRR Maaligai - 1st Floor,
No.144, Annasalai,
Chennai - 2.

2.The Superintendent Engineer,
Tamil Nadu Power Generation & Distribution Corporation,
(TANGEDCO),
Tirunelveli Electricity & Distribution Circle,
Tirunelveli - 11.

.. Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order made in Letter No.24673/659/F8/F82/PPO.No.46190/2020, dated 30.08.2020 (signed on 23.10.2020) on the file of the 1st respondent herein and to quash the same as illegal and arbitrary and consequently directing the respondents herein to sanction family pension to the petitioner from the date of death of her husband i.e., from 17.03.2013 with arrears and other monetary benefits within a stipulated period as to be fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu
For Respondents : Mr.T.Sakthi Kumaran

O R D E R

This writ petition has been filed challenging the impugned order made in Letter No.24673/659/F8/F82/PPO.No.46190/2020, dated 30.08.2020 (signed on 23.10.2020) on the file of the 1st respondent herein and consequently seeking for a direction to the respondents herein to sanction family pension to the petitioner from the date of death of her husband i.e., from 17.03.2013 with arrears and other monetary benefits within a stipulated period as to be fixed by this Court.



2.Heard Mr.M.Thirunavukkarasu, learned counsel appearing for the petitioner and Mr.T.Sakthikumaran, learned Standing Counsel, who takes notice on behalf of the respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.I do not find any discrepancy, infirmity or illegality in the impugned order of the first respondent herein denying the benefits to the petitioner, who claims to be the second wife. The respondents have rejected the petitioner's claim on the ground that when the first wife is alive, the second wife is not entitled for any monetary benefit. The learned counsel for the petitioner is also unable to point out any Rule or Regulations governing the respondents entitling her to seek any monetary benefit. In these circumstances, I do not find any merit in this writ petition.

5.Accordingly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

+1 CC to SPL GP (SR-794[F] dated 11/01/2021)

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