



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 26.07.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**AND**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**W.A. [MD]No.1458 of 2021**

WEB COPY

M.Saraswathy

.. Appellant / Petitioner

Vs.

1.State of Tamil Nadu,  
Rep. by its Additional Chief Secretary to the Government,  
Finance Department,  
Fort St. George,  
Chennai-9.

2.The Principal Accountant General,  
Office of the Principal Accountant General,  
Anna Salai,  
Chennai-18.

..Respondents1 & 2/Respondents 1 & 2

**PRAYER:** Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order, dated 16.04.2021 in W.P.(MD)No.7886 of 2021, on the file of this Court.

**Prayer in WP(MD) . 7886/ 2021 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-12. To issue a writ of Mandamus for a direction , directing the Respondent No.1 to extend the benefit of Government order in G.O.Ms.No.325 Fiance ( Pension ) Department dated 28/11/2011 and the Government Order in G.O.Ms.No.165 Finance ( Pension ) Department dated 21/05/2012 and provide family pension to the petitioner within the time period stipulated by this Honble Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

For Appellant : Mr.S.Rajasekar

For 1st Respondent : Mr.R.Baskaran

Standing Counsel for Government

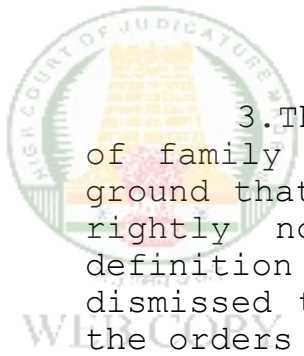
#### **JUDGMENT**

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

We have heard Mr.S.Rajasekar, learned Counsel appearing for the Appellant/Petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the first respondent.

2.This Writ Appeal is directed against the order dated 16.04.2021, passed in W.P.(MD)No.7886 of 2021.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The appellant is the writ petitioner, who sought for grant of family pension on account of the demise of her sister on the ground that she is an unmarried sister. The learned Writ Court had rightly noting that the appellant will not fall within the definition of "family" for being entitled for family pension, dismissed the writ petition. We find no grounds to interfere with the orders passed in the writ petition.

4. Accordingly, the writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM

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.

To

1.The Additional Chief Secretary to the Government,  
State of Tamil Nadu,  
Finance Department,  
Fort St. George,  
Chennai-9.

2.The Principal Accountant General,  
Office of the Principal Accountant General,  
Anna Salai,  
Chennai-18.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate ( SR-24071[F] dated 27/07/2021 )

+1 CC to M/s.SPL GP ( SR-24219[F] dated 28/07/2021 )

W.A.[MD]No.1458 of 2021  
26.07.2021

NS (CO)  
KB(03.08.2021) 2P 5C