



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.13942 of 2018

WEB COPY

S.Rajalakshmi

...Petitioner

/Vs./

1.The Chief Internal Audit Officer,
Board Office Audit Branch,
TANGEDCO,
N.P.K.R.R Maaligai - 1st floor,
144/800, Anna Salai,
Chennai - 600 002.

2.The Superintendent Engineer,
Virudhunagar Distribution Circle,
TANGEDCO,
Virudhunagar,
Virudhunagar District.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to sanction for grant of family pension as per the petitioner's application dated 06.04.2018.

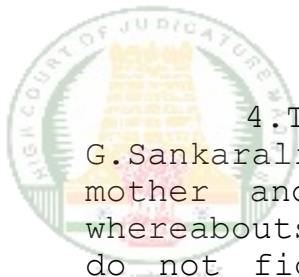
For Petitioner : Mr.T.Nagarajan, Advocate
For Respondents : Mr.T.Sakthi Kumaran
Standing Counsel

ORDER

The petitioner claims family pension from the second respondent, Superintendent Engineer, Virudhunagar Distribution Circle/ R2 on account of the service of her husband, late G.Sankaralingam, who was working therein as Revenue Inspector.

2.She would claim that her husband had retired from service of R2 on 03.05.2002 and had passed away on 31.12.2017. She has placed on record a legal heirship certificate, as per which, (i) S.Velammal, was arrayed as first wife of G.Sankaralingam, (ii) S.Rajalakshmi, (petitioner) was arrayed as second wife and (iii) S.Saravana Devi, as the daughter born to the petitioner and G.Sankaralingam.

3.Thus, her application dated 06.04.2018 claiming family pension is liable to be processed and the pension sanctioned to her.



4.The respondents, however state in counter that G.Sankaralingam had had two more family members, Avadaiammal his mother and Anusuya Devi, his daughter through S.Velammal. The whereabouts of the aforesaid two individuals are not known and they do not figure in the legal heirship certificate produced by the petitioner.

5.Clearly, there is a dispute in regard to the factual aspects of the matter. There has yet to be a determination as to the legal heirs of the deceased employee are and thus, it would be appropriate to direct R1 to conduct an enquiry in this regard and ascertain the legal heirs of the deceased employee, and I do so.

6.The petitioner's application for family pension dated 06.04.2018 shall be processed, all necessary parties shall be heard and orders be passed, within a period of 12 weeks from the date of uploading of this order upon the official website of this Court. This Writ Petition is disposed as above. No costs.

Sd/-
Assistant Registrar (Writ)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

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 Chief Internal Audit Officer,
Board Office Audit Branch,
TANGEDCO, N.P.K.R.R Maaligai - 1st floor,
144/800, Anna Salai, Chennai - 600 002.

2.The Superintendent Engineer,
Virudhunagar Distribution Circle,
TANGEDCO, Virudhunagar, Virudhunagar District.

+1 cc to Mr.P.SUBBARAJ, Advocate, SR.No.35900

+1 cc to Mr.T.SAKTHIKUMARAN, Advocate, SR.No.35924

Order made in
W.P. (MD)No.13942 of 2018
Dated:24.11.2021