



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.NO.12615 OF 2022

S.Ambika

.. Petitioner

Vs.

1. The Chief Educational Officer,
Villupuram District.
2. The Accountant General (A & E),
Tamil Nadu Circle,
261, Anna Salai, Chennai-600 018.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first and second respondents herein to confer the family pension by considering the petitioner's representation dated 07.02.2022 within a reasonable time as prescribed by this Court.

For petitioner : M/s.R.S.Anandan

For respondents : Mr.E.Sundaram, Govt. Advocate for R-1

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent.

2. This Writ Petition is filed praying for issuance of a Writ of Mandamus to direct the first and second respondents herein to confer the family pension by considering the petitioner's representation dated 07.02.2022 within a reasonable time as prescribed by this Court.

3. The petitioner got married to one K.Subramanian. The said K.Subramanian was already married to one Angayarkanni. The second marriage with the petitioner took place only after the demise of the first wife. The petitioner claims that she is Class-I legal heir as per Hindu Law. Unfortunately, the children born to the first wife of her husband, have excluded the



petitioner while obtaining the Legal Heirship Certificate. Therefore, the petitioner's name is not figuring in the Legal Heirship Certificate. The petitioner therefore moved the jurisdictional Tahsildar in this regard, but since no action was forthcoming, the petitioner has filed the present Writ Petition

4. The respondents are bound to confer the petitioner necessary family pension benefits, but only after she obtains the Legal Heirship Certificate.

5. Accordingly, after the petitioner obtains such a certificate, she is directed to make a fresh application/representation to the first respondent seeking family pension benefits, and the first respondent shall pass appropriate orders, on merits and in accordance with law, as expeditiously as possible.

6. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

ab/cs

To

1. The Chief Educational Officer,
Villupuram District.
2. The Accountant General (A & E),
Tamil Nadu Circle,
261, Anna Salai, Chennai-600 018.

+1cc to M/s.R.S.Anandan, Advocate, S.R.No.31421
+1cc to the Government Pleader, S.R.No.31455

W.P.No.12615 of 2022

AD(CO)
PM/20/05/2022