



WP.No.11518 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.11518 of 2015

G. Dhanalakshmi

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Petitioner

Vs

1. The Corporation of Chennai,
Rep by its Commissioner,
Rippon Building,
Chennai – 600 003.

2. The Educational Officer,
Education Department,
Corporation of Chennai,
Chennai – 600 003.

3. The Principal Accountant,
General Office (A & E),
Teynampet,
Chennai – 600 006.

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Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the 1st respondents to forward the family pension forms and documents to the 2nd respondent and direct the 2nd respondent to settle the family pension, arrears of family pension to the petitioner from the date of death of her sister on 29.12.2009 to till date.



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For Petitioner : M/s.N.Beulah John Selvaraj
For R1 & R2 : Mrs.P.T.Ramadevi
Standing Counsel
For R3 : M/s.T.S.Selvarani

ORDER

This Writ Petition has been filed for direction directing the second respondent to pay the family pension including arrears to the petitioner.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. One Gopalakrishnan was employed as a Headmaster in the Corporation Elementary School, Seniamman Koil Street, Chennai. He retired from service and thereafter, he died on 27.07.2008. Admittedly, he got married to the petitioner's sister viz., Sundarammal in the year 1968. Thereafter, he gave birth to three children. When the said Sundarammal was very much alive, he got married to the petitioner and also gave birth to another four children. Thereafter, the said Gopalakrishnan died. After his demise, the first wife, viz., the said Sundarammal, had received family pension. Thereafter, she also died on 29.12.2009. The petitioner, being the second wife of the said



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Gopalakrishnan, is not entitled for family pension. In fact, the first wife of the said Gopalakrishnan was received pension till her death.

4. The learned counsel appearing for the respondents 1 and 2 submitted that now the petitioner also died. Since the deceased petitioner is not entitled for any claim and no need to implead any legal heirs to substitute the deceased petitioner.

5. In view of the above, this Writ Petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

29.09.2023

Index:Yes/No
Internet:Yes/No
Lpp

To
1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai – 600 003.

2. The Educational Officer,
Education Department,
Corporation of Chennai,
Chennai – 600 003.



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3. The Principal Accountant,
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Teynampet, Chennai – 600 006.

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