



W.P(MD)No.4817 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4817 of 2023

and

W.M.P(MD)No.4493 of 2023

E.Stella Mary

... Petitioner

Vs

1.The Internal Audit Officer, (Pension),
Tamil Nadu Electricity Board,
Board Office, Audit Branch,
NPKRR Maligai 1st Floor,
No.144, Anna Salai,
Chennai – 600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinayakkanpatti,
Dindigul – 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent pertaining to the impugned order in Aanai No. 000667/11/Ni.Pi.2/Uthavi.3/Ko.Ku.O/2022, dated 08.02.2022 and quash the same as illegal and arbitrary and consequently direct the respondents to



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enhance the family pension from Rs.1581/- to Rs.10,000/- per month from 09.03.2004 and grant the same with arrears to petitioner in accordance with law and within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mrs.M.Parameswari
Standing Counsel

ORDER

The petitioner's father was working as wireman in Tamil Nadu Electricity Board (TNEB). He retired on 23.10.1997. He was receiving pension till 08.03.2004. Thereafter the petitioner was getting minimum family pension. The petitioner wants the same to be enhanced to Rs.10,000/- (Rupees Ten Thousand only) per month.

2. The respondents have filed counter affidavit. Paragraph Nos.3 and 4 of the said counter affidavit are as follows:

“3. I respectfully submit that the writ petitioner father is employee of respondent board and retires on 23.10.1997 and received pension from 24.10.1997 to 07.03.2004. Thereafter, the writ petitioner father died on 08.03.2004 leaving behind two daughters & one son. The writ petitioner mother died on 01.02.1994. The writ petitioner make application for claim of family pension on 14.02.2020 based on her application



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minimum family pension sanctioned on 18.02.2023 for a sum of Rs.1581/- between 09.03.2004 to 10.10.2005 upto age of 25 years for unmarried daughter family pension. Thereafter, respondent board required bank details of the writ petitioner for remitting the amount which was not furnished by the writ petitioner until filing the present writ petition.

4. I respectfully submit that the respondent board required details regarding for unmarried certificate on 01.03.2023. The respondent remitted a minimum family pension to the account of writ petitioner A/c. No. 271501000012078 on 01.04.2023 for a sum of Rs.23527 during 09.03.2004 to 10.10.2005. The writ petitioner is eligible for unmarried family pension for a sum of Rs.7,850/- after furnished the required documents.”

3. It is for the petitioner to submit the documents sought for by the respondents. The respondents want the petitioner to produce the certificate as on 01.03.2023 issued by the concerned competent authority indicating that she continues to remain a spinster. In other words, the certificate should indicate that the status of the petitioner as an unmarried person remains. One such document is produced, the petitioner's request will be decided on merits and in accordance with law within a period of six weeks thereafter.



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4. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.04.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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G.R.SWAMINATHAN, J.

MGA

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