



W.P.(MD).No.24684 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.24684 of 2023

M.Lakshmi

... Petitioner

Vs.

1.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
Madurai-20.

3.The Tahsildar,
Gandhi Nagar,
Madurai South,
Madurai-20.

4.The Senior Audit Officer,
Pension Audit Branch,
Electricity Head Office,
144, Anna Salai,
Chennai-02.

5.Banumathi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action to cancel the order of pension granted in favour



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of the private respondent by considering the petitioner's representation, dated 04.07.2023.

For Petitioner : Mr.R.Paranjothi

For R-1 to R-3 : Mr.T.Villavan Kothai
Additional Government Pleader

ORDER

The present writ petition has been filed for a Mandamus seeking to cancel the family pension granted to the fifth respondent.

2. According to the learned Counsel appearing for the writ petitioner, one D.V.Kulanthaisamy, who was working as an Accountant Clerk in TANGEDCO had attained superannuation on 30.09.1987. Thereafter, his wife had passed away on 27.04.1993. The pensioner, namely, Kulanthaisamy had also passed away on 19.08.2014. However, the fifth respondent claims that she got married to Kulanthaisamy on 08.12.1994. The fifth respondent had placed a marriage invitation and a certificate issued by the Tahsildar, Kamuthi before the TANGEDCO authorities and has claimed family pension.



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3. According to the learned Counsel appearing for the writ petitioner, the marriage invitation as well as the certificate issued by the Tahsildar are forged documents and relying upon the said documents, family pension has been ordered by the TANGEDCO. Hence, he seeks to cancel the pension granted to the fifth respondent.

4. From the above said averments, it is very clear that there is a dispute whether the fifth respondent got married to the deceased Kulanthaisamy on 08.12.1994 or not. This issue cannot be decided in the present writ petition or by the authorities concerned. Incase, if forged documents are placed by the fifth respondent relating to marriage invitation or the certificate issued by the Tahsildar is a forged document, it is for the writ petitioner to approach the police authorities for lodging a proper complaint.

5. With the above said observation, this writ petition stands disposed of. There shall be no order as to costs.

12.10.2023



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NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

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R.VIJAYAKUMAR, J.

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