



WEB COPY



W.P.No.955 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.955 of 2024
and
W.M.P.No.1004 of 2024

Solomon Sam Christie

...Petitioner

-Vs-

1.IG cum Chief Security Commissioner,
Office of the Principal Chief Security Commissioner,
Railway Protection Force,
Moore Market Complex,
Chennai – 600 003.

2.The Director,
Department of Pension and Pensioner's Welfare,
Ministry of Personnel Public Grievance and Pensions,
Government of India, Lok Nayak Bhawan,
Khan Market, New Delhi.

3.The Deputy Director Finance (Estt.) III,
Railway Board,
Ministry of Railways (Rail Mantralaya),
256-A, Rail Bhawan,
Raisina Road, New Delhi.

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the Impugned Order passed by the 1st respondent in his proceedings in No.X/P.500/GT/86 dated 11.03.2021 and quash the same and consequently direct the 1st respondent to grant Family Pension to the petitioner based on his representation dated 05.10.2020.

For Petitioner : Mr.J.Kather Hussain

For Respondents : Mr.J.Madhanagopal Rao
Central Government Standing Counsel

ORDER

This writ petition has been filed challenging the order passed by the first respondent in his proceedings in No.X/P.500/GT/86 dated 11.03.2021 and to quash the same and consequently directing the first respondent to grant Family Pension to the petitioner based on his representation dated 05.10.2020.

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



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3. The petitioner's father was working in the Railway Protection Force-Southern Railway as an Inspector. He died on 14.01.2018 leaving behind his wife, petitioner and his brother as his legal heirs. The petitioner's father was settled with all retirement and terminal benefits. The petitioner's mother was drawing family pension. She died on 27.07.2018. Now, the petitioner is claiming family pension on the ground of disability. The petitioner is suffering with locomotor disability and he could not able to survive himself.

4. Admittedly, after the demise of his father, the petitioner's mother was drawing family pension and after the demise of his mother, now, the petitioner is claiming family pension, on medical ground. Though the petitioner claimed his family pension, on the ground of disability, he is working in a private concern viz., VRL Logistics and earning a sum of Rs.20,000/- per month.



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5. Therefore, the claim of the petitioner was rightly rejected and this Court finds no infirmity or illegality in the order passed by the first respondent in his proceedings in No.X/P.500/GT/86 dated 11.03.2021 and this writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

18.01.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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To

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