



W.P.No.21520 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21520 of 2024
and
W.M.P. No. 23490 of 2024

Ranganayaki

... Petitioner

Vs

1. The Accountant General (Accounts & Entitlements),
Office of the Accountant General,
(Accounts & Entitlements) Tamil Nadu,
361, Anna Salai,
Teynampet, Chennai – 600 018.
2. The District Elementary Educational Officer,
Kallakurichi District,
Kallakurichi.
3. The District Treasury Officer,
Kallakurichi.
4. The Block Educational Officer,
Thirunavalur,
Kallakurichi District.
5. Ramu Ammal

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fourth respondent in Na. Ka. No. 585/A1/2024 dated 06.02.2024 and to quash the same and consequently direct the fourth respondent to sanction the family pension to the petitioner for the death of husband Kasinathan, S/o. Dharmalingam Aachari and all other monetary benefits with interest.

For Petitioner : Mr. C.Prabakaran

For Respondents : Mr. T.Ravi Kumar,
Standing Counsel (for R1)

Mrs. S.Mythreye Chandru,
Additional Government Pleader
(for R2 to R4)

O R D E R

This Writ Petition has been filed challenging the order dated 06.02.2024, passed by the fourth respondent, thereby rejecting the petitioner's request to cancel the family pension awarded in favour of the fifth respondent herein.



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2. The petitioner claims to be the wife of T.Kasinathan, who worked as Principal in the U.Sellur Government Aided Elementary School, Thirunavalur Union, Kallakurichi District, and retired on 31.08.2006. During his lifetime, the deceased T.Kasinathan filed a suit in O.S. No. 42 of 1990 in the Principal District Court, Villupuram, seeking a declaration and permanent injunction against the petitioner and his employer to prevent them from disbursing any benefits to the petitioner. In fact, after his retirement, he received all retirement benefits, including pension. After his demise, the fifth respondent, who is the legally wedded wife of T.Kasinathan, was granted family pension by proceedings in Na. No. 141/A1/2021 dated 29.01.2021. After a period of three years, the petitioner submitted a representation to cancel the family pension awarded to the fifth respondent, claiming to be the wife of the deceased T.Kasinathan.

3. It is observed that the petitioner did not claim to be a wife while T.Kasinathan was alive. In fact, T.Kasinathan had filed the suit against the petitioner and obtained a decree in his favour. After T.Kasinathan's demise, and even after a period of four years, the petitioner submitted a



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representation to cancel the family pension already awarded to the fifth respondent. Therefore, the fourth respondent rightly rejected the petitioner's request, and this Court finds no infirmity or illegality in the order passed by the fourth respondent.

4. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

02.08.2024

Index: Yes/No
Neutral Citation: Yes/No
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To

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4. The Block Educational Officer,
Thirunavalur,
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G.K.ILANTHIRAIYAN, J.

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