



W.P.(MD)No.13449 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.13449 of 2019

Leela

... Petitioner

Vs.

1.The Principal Account General, (A&E),
Represented by its Branch Officer,
Tamil Nadu Authorized of Revision of
Pension / Gratuity / Commutation,
No.361, Annasalai,
Chennai.

2.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in No.P11/4/11120700/ADK, dated 13.07.2017 issued by the first respondent and quash the same and consequently direct the respondents to grant family pension to the petitioner with all arrears from period 04.01.2006.

For Petitioner : Mr.T.Antony Arul Raj



W.P.(MD)No.13449 of 2019

For R-1 : Mr.P.Gunasekaran

For R-2 : Mr.T.Amjad Khan,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the first respondent, dated 13.07.2017, under which, the petitioner's request for grant of family pension in her favour has been rejected on the ground that she is the second wife of the deceased employee.

2. Admittedly, the petitioner is the second wife of the deceased employee, late Gopalakrishnan. The law is well settled by various decisions of this Court, including the decision rendered by this Court, in the case of ***T.Ramachandran Vs. The Principal Accountant General, Chennai-600 018 and others*** in ***W.P.No.20433 of 2020***, dated ***15.12.2022*** that the second wife of the deceased employee is not entitled for grant of family pension in her favour. In the case on hand, the petitioner had married the deceased employee, while the first wife of the deceased employee was very much alive. In accordance with the settled law, the petitioner herein is not entitled for grant of family pension as prayed for in this Writ Petition.



W.P.(MD)No.13449 of 2019

3. In view of the above, there is no merit in this Writ Petition and accordingly, the same stands dismissed. No costs.

15.10.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Principal Account General, (A&E),
Represented by its Branch Officer,
Tamil Nadu Authorized of Revision of
Pension / Gratuity / Commutation,
No.361, Annasalai,
Chennai.

2.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.



WEB COPY



W.P.(MD)No.13449 of 2019

ABDUL QUDDHOSE, J.

TSG

W.P.(MD)No.13449 of 2019

15.10.2024