



WP(MD). No.13162 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 20/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.13162 of 2024

Vimal .M

... Petitioner

Vs

The Superintending Engineer,
Purchase and Administration,
Thoothukudi Thermal Power Station,
Thoothukudi District..

... Respondent

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Ka.No. 3400/139/MuNiA/NiPi3(4)/Ko.Pension/2024, dated 06.03.2024 passed by the respondent and quash the same as illegal and further directing the respondent to pay monthly pension to petitioner and petitioners sister M.Dhaarani as per the documents submitted by petitioners father within the time contemplated in the provision of law without delay.

For Petitioner : Mr.G.M. Xavier,

For Respondent : Mr.S.Arivalagan



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ORDER

By consent, the writ petition itself is taken for final disposal.

2. Heard Mr.G.M.Xavier, learned counsel for the petitioner and Mr.S.Arivalagan, learned counsel for the respondent.

3. The petitioner submitted that his father, who was working in the respondent concern as Junior Engineer retired on 28.02.2023 and subsequently died on 29.12.2023. For claiming his father's family pension, he has applied to the respondent. However, the same has been rejected. Challenging the same, the petitioner is before this Court with this writ petition.

4. The petitioner claims himself as the son of the 2nd wife of his deceased father K.Muthusamy. The petitioner has been shown as one of the family members of the deceased Muthusamy in the capacity as his son and hence, he claimed that the order of family pension has been passed in favour of the first wife of Muthusamy is not legal.



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5. It is seen that the eligible person, who can get the family pension of the petitioner's father, would be the living wife of the deceased. Apart from his wife, the deceased has also got two unmarried daughters at the time of furnishing the family details by the deceased to the respondent. The petitioner is not a minor and he is not the depending son of the deceased. Hence, the petitioner has got no legal entitlement to challenge the impugned order. Therefore, this writ petition is dismissed. No costs.

20.06.2024

RR

TO
The Superintending Engineer,
Purchase and Administration,
Thoothukudi Thermal Power Station,
Thoothukudi District..



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R.N.MANJULA,J

RR

**ORDER
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