



W.P.(MD).No.18976 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18976 of 2024

Meenakshi

... Petitioner

Vs.

1. The Principal Controller of Communication Accounts,
Department of Telecommunication,
Tamil Nadu Circle,
TNT Complex,
No.60, Ethiraj Salai,
Chennai – 600 008.
2. The Joint Controller of
Communication Accounts (Pension)
Department of Telecommunication,
Tamil Nadu Circle,
TNT Complex,
No.60, Ethiraj Salai,
Chennai – 600 008.
3. The Deputy Controller of
Communication Accounts (Pension)
Department of Telecommunication,
Tamil Nadu Circle,
TNT Complex,
No.60, Ethiraj Salai,
Chennai – 600 008.



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4. The Senior Accounts Officer (Pension)

Department of Telecommunication,
Tamil Nadu Circle,
TNT Complex,
No.60, Ethiraj Salai,
Chennai – 600 008.

5. The Accountants Officer (Drawl)

Office of the General Manager BSNL,
Thanjavur – 613007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fifth respondent to pay the petitioner's family pension of her deceased husband namely, Govindasamy based on her representation dated 06.07.2024.

For Petitioner : Mr.H.Mahamed Hussain

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

The present Writ Petition has been filed seeking a Mandamus as against the fifth respondent to pay the petitioner's family pension of her deceased husband, viz., Govindasamy, based upon her representation dated 06.07.2024.



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2. According to the learned counsel appearing for the writ petitioner, there was some dispute with regard to the petitioner's marital status and the said issue was resolved in O.S.No.222 of 2021 on the file of the Additional District Munsif Court, Thanjavur, by judgment and decree, dated 20.10.2023.

3. A perusal of the said judgment reveals that the plaintiff in the said suit, viz., G.Nandhini Priya would be entitled for family pension only till 25.11.2021, the date on which she got married and thereafter, the fourth respondent would be entitled to receive the family pension. Therefore, there cannot be any dispute that the writ petitioner herein would be entitled to receive the family pension of her late husband Govindaswamy at least from 26.11.2021 onwards.

4. Mr.K.Govindarajan, learned Deputy Solicitor General of India appearing for the respondents submits that the Aadhaar Card and Pan Card of the writ petitioner reflects the name of the husband of the writ petitioner as Balasubramanian. So far no amendment has been carried out in the said documents. In case, if the petitioner produces the Aadhaar Card and Pan Card



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reflecting the name of late Govindaswamy as her husband, her request for family pension would be considered favourably.

5. In view of the above said facts, the writ petitioner herein is directed to produce her Aadhaar Card and Pan card reflecting the name of her husband as late Govindaswamy to the fifth respondent herein. On production of the same, the fifth respondent is directed to consider the request and pass orders within a period of eight weeks from the date of receipt of the documents.

6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs.

19.08.2024

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