



W.P.(MD)No.22397 of 2017

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 09.08.2024**

**CORAM**

**THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P.(MD)No.22397 of 2017**

A.Motcham

: Petitioner

Vs.

1.The Accountant General,  
(Accounts and Entitlements),  
361,. Anna Salai, Teynampet,  
Chennai – 600 018.

2.The District Education Officer,  
Aruppukottai – 626 101,  
Virudhunagar District.

3.The Sub Treasury Officer,  
Aruppukottai – 626 101.  
Virudhunagar District.

4.G.Mariapackiam

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order No.AG(AGE)/Legal Cell/AN 272/16-17/1743/96794 dated 12.01.2017 issued by the first respondent and quash the same as illegal.



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For Petitioner : Mr.P.Ganapathisamy  
For Respondent No.1 : Mr.P.Gunasekaran  
Standing Counsel  
For Respondents 2 & 3 : Mr.T.Amjad Khan  
Government Advocate

### **ORDER**

This Writ Petition is filed for a Writ of Certiorarified Mandamus, seeking to quash the impugned order No.AG(AGE)/Legal Cell/AN 272/16-17/1743/96794 dated 12.01.2017 issued by the first respondent.

2.The petitioner is the second wife of the deceased employee one A.Ignasimuthu. Under the impugned order, the petitioner's claim for family pension in respect of the deceased A.Ignasimuthu has been rejected on the ground that she is a second wife.

3.The law is now well settled as laid down by the decision of the Division Bench of this Court in the case of ***R.Rajathi Vs. The Superintendent Engineer and another reported in (2018) 1 WLR 725***, that the second wife is not entitled for family pension as she is not the legally wedded wife.



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4.In view of the well settled law, this Court is of the considered view that the first respondent under the impugned order has rightly rejected the petitioner's request, for grant of family pension.

5.In the result, there is no merit in this Writ Petition. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

**09.08.2024**

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



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To

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**ABDUL QUDDHOSE, J.**

MR

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