



W.P.No.2310 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2310 of 2025
And
W.M.P.No.54509 of 2025**

K.Rose

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Transport Department,
Secretariat,
Fort St.George,
Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation
Villupuram Division,
No.3/137, Salamedu,
Valutha Reddy Post,
Villupuram.

3.The General Manager,
Tamil Nadu State Transport Corporation
Kancheepuram Division,
Chennai Banagaluru High Way,
Kancheepuram – 631 552.

4.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent by its proceedings Letter No.1157/Pension 1/TNSTC (Villu)/Kanchi/2024 dated 27.11.2024 and quash the same and further directing the respondents to sanction the family person to the petitioner from the death of her husband Mr.S.Kannan on 19.07.2024.

For Petitioner : Mr.V.Manoharan

For Respondents : Mr.P.Balathandayutham for R1
Special Government Pleader
Mr.A.Vinoth Raj for R2 and R3
Mr.CSK Sathish for R4
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent by its proceedings Letter No.1157/Pension 1/TNSTC (Villu)/Kanchi/2024 dated 27.11.2024 and quash the same and to direct the respondents to sanction family pension to the petitioner from the death of her husband Mr.S.Kannan on 19.07.2024.

2.The learned counsel appearing for the petitioner submitted



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that the petitioner's husband worked as Conductor in the third respondent Corporation and retired from service on attaining the age of superannuation and was receiving pension till the date of his death on 19.07.2024 and thereafter the petitioner approached the third respondent for sanction of family pension, however, family pension has not yet been sanctioned to the petitioner. The learned counsel further submitted that there was matrimonial dispute between the petitioner and her husband and hence, due to frustration, the petitioner's husband during his lifetime had made declaration not to disburse family pension to the petitioner and on that basis, the respondents are not sanctioning family pension to the petitioner and further submitted that as on date, there is no valid divorce between the petitioner and her husband and hence, the petitioner is the legally wedded wife of her deceased husband and she is entitled for family pension. The learned counsel further submitted that the respondents are governed by the relevant Rules and not by the petitioner's husband's declaration.

3.The learned counsel appearing for the respondents 2 and 3 submitted that the petitioner's husband Kannan had executed a sworn affidavit dated 31.10.2007 stating that his wife has deserted him and



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has filed a maintenance case against him and declared that he is the sole person entitled to receive his pension and after his death no one including his wife is eligible to receive his family pension. Hence the respondents are unable to process the petitioner's claim for family pension.

4. Heard the arguments advanced on either side and perused the materials available on record.

5. Perusal of records disclose that there was matrimonial dispute between the petitioner and her husband and the petitioner's husband during his lifetime had made declaration that he is the sole person entitled to receive his pension and after his death no one including his wife is eligible to receive his family pension. However, the respondents are governed by the relevant Rules and not by the declaration made by the deceased employee and hence, the respondents ought to sanction family pension to the petitioner strictly in terms of Pension Rules.

6. In view of the above, the order impugned in this writ



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petition is set aside. The respondents are directed to sanction family pension to the petitioner strictly in terms of Pension Rules, within a period of four weeks from the date of receipt of a copy of this order.

7.The writ petition is allowed on the above terms. No costs.
Consequently, the connected miscellaneous petition is closed.

19.12.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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- 2.The Managing Director,
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