



W.P.No.25700



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.25700 of 2014

and

M.P.Nos.1 to 3 of 2014

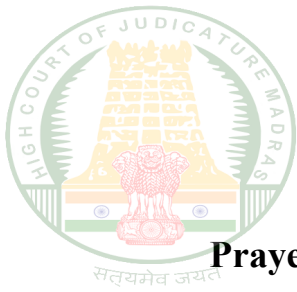
Mrs. C.U.Vijayalakshmi

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Additional Chief Secretary,
Planning, Development & Special Initiative Department,
Fort St.George, Chennai – 600 009.
2. The Principal Secretary and Director,
Department of Economics and Statistics,
DMS Compound, No.359, Anna Salai,
Chennai – 600 006.
3. The Additional Director,
Department of Economics and Statistics,
DMS Compound, No.359, Anna Salai, Chennai – 600 006.
4. The Principal Accountant General
(Accounts & Entitlements) Tamil Nadu,
No.361, Anna Salai, Chennai – 600 018.
5. C. Bhuvaneswari

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to the impugned order passed by the first respondent vide Letter No.2937/ST.1/2012 dated 13.02.2013 and the consequential order passed by the third respondent vide Letter No.6933/K.3/2012 dated 25.02.2013 and quash the same and consequently direct the first respondent and to pass a relaxation order granting family pension to the petitioner in terms of decree and Judgment dated 12.02.2012 passed in O.S.No.161 of 2002 by the First Additional Family Court at Chennai.

For Petitioner	: Mr.K.Venkateswaran
For R1 to R3	: Mr.V.Veluchamy, Additional Government Pleader
For R4	: Ms.T.S.Selvarani

ORDER

The petitioner herein, who is admittedly the second wife of one Late C.Umapathy, along with her son, filed O.S.No.161 of 2002 on the file of the I Additional Family Court at Chennai, against the fifth respondent and others, to declare that she is the legally wedded wife of deceased C.Umapathy and for declaring that she and her son are the legal heirs of deceased C.Umapathy and also sought for a permanent injunction restraining the fifth defendant therein i.e., the Director, Directorate of Statistics, from disbursing the terminal benefits

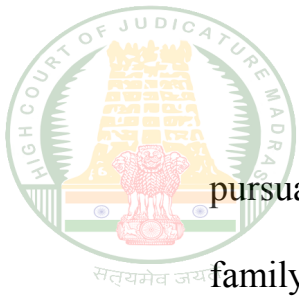


of Late C.Umapathy in favour of the defendants 1 to 4 therein, including the fifth respondent herein.

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2. Ultimately, the said suit ended in a compromise and the fifth respondent herein appears to have agreed to receive a lumpsum amount of Rs.2,00,000/- and expressed her 'No Objection' for the petitioner herein to receive the family pension payable for the service rendered by Late C.Umapathy. With the abovesaid Judgment and decree in O.S.No.161 of 2002, the petitioner approached the respondents 1 to 4 for payment of family pension. However, the respondents 1 to 4, having taken note of the said decree dated 12.02.2012, came to the conclusion that the same is not binding on them and they have acted in accordance with the Tamil Nadu Pension Rules for disbursement of the family pension and accordingly, the impugned letter dated 13.02.2013 was addressed to the second respondent and accordingly, the family pension is being paid in favour of the fifth respondent herein. Under those circumstances, the petitioner approached this court by filing the present writ petition challenging the said letter dated 13.02.2013, and the consequential letter dated 25.02.2013, intimating her about the letter dated 13.02.2013.

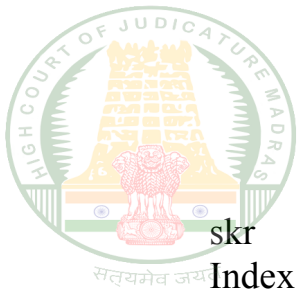
3. The grievance of the petitioner in the present writ petition is that,



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pursuant to the letter dated 13.02.2013, the respondents have released the family pension in favour of the fifth respondent, without taking into consideration the decree passed in O.S.No.161 of 2002 dated 12.02.2012. A perusal of the decree does not indicate any direction issued against the respondents 1 to 4 herein, but the same is only a mutual understanding between the petitioner and the fifth respondent. Ultimately, the grievance of the petitioner boils down to the violation of the directions said to have been passed in between the petitioner and the fifth respondent under the above referred Decree. If that be the case, it is for the petitioner to work out the remedies by approaching the competent court by initiating appropriate steps against the fifth respondent for allegedly violating the decree in O.S.No.161 of 2002 between the parties.

4. In view of the same, no relief can be granted in this writ petition and accordingly, the writ petition is closed granting liberty to the petitioner to take appropriate steps for execution of the decree said to have been obtained in the past between the parties in accordance with law. No costs. Connected miscellaneous petitions, if any, shall stand closed.



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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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MUMMINENI SUDHEER KUMAR, J.

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