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Cont.P.No.120 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Cont.P.No.120 of 2024

1.M.A.Sundar Raj (Deceased)

2.S.Sheela

...Petitioner

Vs.

1.A.Karthik,
The Secretary to Government,
Education Department,
Chennai – 600 009.

2.A.Karuppasamy
The Director of Elementary Education,
DPI Complex, Nungambakkam,
Chennai – 600 006.

...Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the respondents for committing Contempt of Court for wilful disobedience of order of this Court in W.A.No.494 of 2022 dated 09.03.2022.

For Petitioner : Mr.Hariharan.V
for Mr.P.V.S.Giridhar Associates



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Cont.P.No.120 of 2024

For Respondents: Mr.R.Neethi Perumal,
Government Advocate

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The present contempt petition has been instituted to punish the respondents for wilful disobedience of the orders of this Court dated 09.03.2022 made in W.A.No.494 of 2022.

2. This Court passed the following orders:-

7. It has been strenuously contend that the writ petitioner has filed the writ petition after retirement. Obviously, a writ petition can be filed only after the retirement, after ascertaining the fact as to whether the writ petitioner is entitled to pensionary benefits or not? And it can be ascertained after the retirement of the person. As there is a delay in approaching this Curt and that the petitioner is no more, we are not inclined to grant the relief of arrears of pension to the legal heirs of the petitioner for the period of service rendered between 01.06.1963 to 19.11.1964. However, the said period will have to be taken into account for the purpose of calculating the family pension and the arrears of family pension shall be extended to the petitioner from the date of demise i.e., 27.08.2015. The difference in amount shall be paid within a period of four months from the date of receipt of a copy of this judgment. Once the communication is received from the



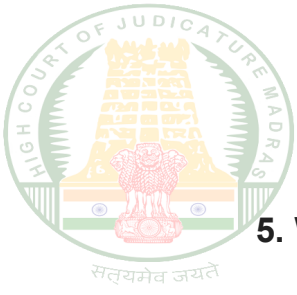
Cont.P.No.120 of 2024

Government, the Accountant General is expected to process and pay the amount without making the petitioner to approach the Court once again for getting relief.

8. With the above direction the Writ Appeal is disposed of. No costs. Consequently connected miscellaneous petitions are also closed.

3. The learned Government Advocate would submit that the petitioner is eligible for family pension under the category of widowed daughter. As per her eligibility, the family pension was calculated and being disbursed regularly. With reference to the claim made by the petitioner, the Authorities have verified the eligibility of the petitioner/ family pensioner and the Principal Secretary to the Government, School Education Department has vide letter dated 10.06.2025 stated that the eligible family pension as admissible to the petitioner is being paid to the petitioner regularly on a monthly basis.

4. That being so, the respondents have not committed any willful disobedience of the orders of this Court. If at all any grievance exists to the petitioner, with reference to the calculation of family pension or otherwise, she is at liberty to approach the competent Authority in the manner known to law.



Cont.P.No.120 of 2024

5. With the above observation, this Contempt Petition is **closed**.

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(S.M.S., J.) (M.S.Q., J.)
23.09.2025

dsa

Internet :Yes/No
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order



WEB COPY



Cont.P.No.120 of 2024

S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

dsa

Cont.P.No.120 of 2024

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