



W.P.No.33350 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

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CORAM :

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.33350 of 2025

S.Rajeswari

... Petitioner

Vs.

1. The Chief Internal Audit Officer,
Pension Board Office Audit Branch,
No. 144, Anna Salai,
Chennai – 600 002.
- 2 The Internal Audit Officer,
Pension, Board Office Audit Branch,
No. 144, Anna Salai,
Chennai – 600 002.
- 3 The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
Dharmapuri & District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records connected with the proceedings of the 2nd respondent Letter No.013117/368/ F.6/ F/62/ PPO. No.47224/ 2025, dated 30.04.2025 and its consequential impugned order of the 3rd respondent Letter No.191/ Ni.Pi.2/U.2/Ko.Pothu/A.No.1600/2025, dated 18.06.2025 and quash the same consequently direct the respondents to disburse the family pension from 02.04.2016 onwards to the petitioner within the time frame that may be fixed by this Court.

For Petitioner : Mr.G.Balamanikandan
For Respondents : Mr.C.Manoharan,
Standing counsel for R1 and R2



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ORDER

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This Writ Petition has been filed seeking to call for the entire records connected with the proceedings of the 2nd respondent Letter No.013117/368/ F.6/ F/62/ PPO. No.47224/ 2025, dated 30.04.2025 and its consequential impugned order of the 3rd respondent Letter No.191/ Ni.Pi.2/U.2/Ko.Pothu/A.No.1600/2025, dated 18.06.2025 and quash the same consequently direct the respondents to disburse the family pension from 02.04.2016 onwards to the petitioner within the time frame that may be fixed by this Court.

2. The case of the petitioner is that the petitioner's husband P.Settu was working as a Line Inspector in the Tamil Nadu Electricity Department at Harur and he took voluntary retirement on 28.03.2003. While so, on 02.04.2016, he died leaving behind the petitioner, his son Raghul and his first wife's daughters viz., Baby, Meera, Geetha, and Vanaja. The petitioner on 28.08.2016, had applied for family pension to the 3rd respondent. Subsequently, she had also made a representation before the 3rd respondent on 20.03.2025, requesting to pay the family pension and the same has also been forwarded by the 3rd respondent. While so, the 2nd respondent vide proceedings in letter No.013117/368/ F.6/ F/62/ PPO.



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No.47224/ 2025, dated 30.04.2025, directed the 3rd respondent to intimate the petitioner to obtain legal heir certificate under Hindu law or obtain an order from the Court and if she is found to be eligible, family pension would be granted to her. The said letter has been communicated to the petitioner on 18.06.2025. According to the petitioner, the facts are that the petitioner's husband's first wife died on 12.06.1995 and the petitioner had got married to (late) Settu in the year 1999 and the information regarding the death of the first wife of the petitioner's husband were furnished to the 3rd respondent through her letter dated 25.08.2003. Hence, the claim of the Respondents to obtain an order from the Court regarding the legal heir certificate is illegal and thereby sought to set aside the same.

3. The learned Standing Counsel appearing for the Respondents would submit that the petitioner is the second wife of late P.Settu whose first wife died on 12.06.1995. He got five daughter through his first wife. He would further submit that in the legal heir certificate issued by the Tahsildar, Harur the name of the petitioner has not been indicated as a legal heir of the said Settu and that the respondents have directed the petitioner to get appropriate orders from the Civil Court. He further submitted that as and when the orders are passed by the Civil Court in this



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regard, the respondents are ready to settle the benefits to the petitioner.

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4. Heard the learned counsel appearing on either side and perused the materials available on record.

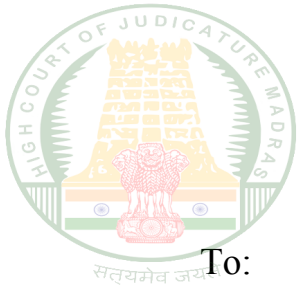
5. On perusal of the documents, more particularly the legal heir certificate at page No.20 of the typed set, it does not disclose the name of the petitioner as the legal heir of the deceased employee Settu. In such circumstances the petitioner has to obtain necessary orders from the Civil Court to include her name as a legal heir of said Settu and thereby no interference is required in this case. As and when the orders are obtained in the Succession Certificate, the respondents shall settle the claim of the petitioner.

6. With the above observation, this Writ Petition stands disposed of.

No costs.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
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To:

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