IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 40572 of 2025
and WMP.No.45505 of 2025

Sakthi

Petitioner

Vs

1. The Addl. Chief Secretary
Finance(pay cell) Department
Government Of Tamil Nadu
Fort St.George, Chennai 01

2.The Secretary
Tamil Nadu Generation And
Distribution Corporation Ltd., 144
Anna Salai, Chennai -2

3.The Internal Audit Officer (pension)
Board Office, Audit Branch,
Tamil Nadu Generation And
Distribution Corporation Ltd.,
144 Anna Salai, Chennai -2

..Respondents

PRAYER

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of certiorarified mandamus, calling for the records relating to the order passed by 1st respondent in GO Ms. No. 337 dated 14.11.2017 Para 18 of 2nd Respondent proceedings No. 52 dated 2.03.2018 and the order of 3rd respondent in Lr. No. No. 020922/ 464/ Ef6./ Ef 62/ Pi.Pi.O. Enn 14934/ 2022 dated 1.08.2022 and quash the same and direct the respondents to pay monthly pension to petitioner with arrears from April 2020 to May 2021 and from May 2022 onwards and pass such further orders.

For Petitioner: Mr. S.Doraisamy

For Respondents: Mr. V.Jeevagiridharan, AGP – R1
Mr. K.Rajkumar, Standing Counsel – R2 &R3

ORDER

The present writ petition has been filed challenging the order passed by respondents 1 and 3, whereby the request made by the petitioner for sanction of family pension consequent to the death of her father was rejected.

2. The petitioner's father, Govindappa Naidu, was employed as a Wireman in the Bargur Section. He retired from service on 31.07.1994 and passed away on 23.04.1998. After his demise, family pension was sanctioned and disbursed to his wife, Venkatammal, who was the petitioner's mother. At the

time of her father's death, the petitioner was married and residing with her husband. Her husband passed away on 10.11.2011, and subsequently, her mother also died on 12.12.2012. The petitioner contends that she was dependent on her mother, who was receiving family pension. After her mother's demise, the petitioner applied to the respondent authorities seeking family pension under the category of a widowed daughter. However, the said request was rejected on the ground that the petitioner was not a dependent during the lifetime of the pensioner and, having become a widow only after the death of her husband in 2011, was not entitled to claim family pension. Challenging the same, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that the petitioner has no independent source of income and was entirely dependent upon the pension amount received by her mother. It is further contended that she is entitled to receive family pension as a widowed daughter under the existing pension rules. The rejection order passed by the third respondent, without properly considering her eligibility and dependency status, is therefore arbitrary, unjust, and liable to

be set aside.

4. The learned counsel for the petitioner further submitted that the object of granting family pension is to extend financial assistance to the dependents of the deceased employee, and as the petitioner satisfies the dependency condition after her widowhood, denial of pension in her case would cause grave hardship and would defeat the purpose of the pension scheme.

5. Heard both sides and perused the materials available on record.

6. On a careful perusal of the records and the submissions made, it is evident that the petitioner was married during the lifetime of her father, the original pensioner. After his demise, the family pension was rightly sanctioned to her mother, the legally entitled recipient. The petitioner became a widow only after the death of her husband in 2011, long after her father's death in 1998. As per the applicable pension rules, family pension can be granted only to the unmarried, widowed, or divorced daughter of the deceased employee, provided she was dependent upon the pensioner at the time of his or her death. In the present case, the petitioner cannot be regarded as a dependent of the pensioner

at the relevant time, since she was married and living with her husband during the lifetime of her father.

7. Further, the family pension payable to the spouse of the deceased employee does not extend to the dependents of the spouse after their demise. Therefore, the petitioner cannot derive any entitlement as a dependent of a family pensioner under the existing regulatory framework.

8. In view of the above, this Court finds no infirmity or illegality in the impugned order passed by the third respondent rejecting the petitioner's claim for family pension. Accordingly, the writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

28-10-2025

Index:Yes/No
Internet:Yes

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G.K.ILANTHIRAIYAN, J.

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