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W.P.No.43312 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

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THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.43312 of 2025

Santhamani

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Petitioner

Vs

Divisional Engineer (High Ways)
Office of Divisional Engineer,
Pollchi - 642 002.

.....

Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records realting to the order of the Respondent namely Division Engineer (High Ways), Pollachi dated 03.07.2025 in Koo. No 403/2025 Aa.1 and quash the same and consequently direct the Respondent to enter the name of the petitioner in the pension book of Late C.Gopalsamy who was working as Assistant in Highways department in the office fo the divisional Engineer (Highways), Pollachi 642 002 within a time to be stipulated by this Honble Court.

For Petitioner : Mr.V.Nicholas

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

This Writ Petition has been filed challenging the order dated 03.07.2025 passed by the respondent, thereby rejecting the request made by the petitioner seeking family pension on the demise of her husband C.Gopalsamy.

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

3.The petitioner claims to be the second wife of the deceased C.Gopalsamy, who was working as an Assistant in the Highways Department, Pollachi and who died on 20.02.2025. The said C.Gopalsamy got married one Saraswathi and she died on 10.02.2001. After her demise, the said C.Gopalsamy was retired from service in the year 2004 and was thereafter receiving pension. He died on 20.02.2025. At that juncture, the petitioner submitted an application seeking family pension claiming to be the second wife of the deceased C.Gopalsamy. She also produced the legal heirship certificate in support of her claim. However, mere production of legal heirship certificate does not establish the factum of marriage between the petitioner and the said C.Gopalsamy, in the absence of any other documentary or legal proof of marriage. Further, no children were born to the



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petitioner through the said C.Gopalsamy. Therefore, the respondent rightly rejected the request made by the petitioner.

4.In view of the above, this Court finds no infirmity or illegality in the order dated 03.07.2025 passed by the respondent. Thus, the writ petition lacks merits and is liable to be dismissed. However, the petitioner is at liberty to produce the relevant documents to show that she got married the said C.Gopalsamy, after the demise of his first wife. On receipt of such documents, the respondent is directed to consider the same on merits and in accordance with law.

5.In the result, this Writ Petition stands dismissed. There shall be no order as to costs.

12.11.2025

Neutral citation :Yes/No
Index:Yes/No
Speaking/Non speaking
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G.K.ILANTHIRAIYAN, J.

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To

Divisional Engineer (High Ways)
Office of Divisional Engineer,
Pollchi - 642 002.

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