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W.P.No.44807 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM:

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

W.P.No.44807 of 2025
and W.M.P.No.50008 of 2025

Jayaraman.K.S

... Petitioner

-Vs-

The Senior Accounts Officer,
The Officer of The Principal Accountant General
(Accounts and Entitlements),
Tamil Nadu,
361, Anna Salai,
Teynampet, Chennai - 600 018.

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for records comprised in the Proceedings of the Respondent bearing AG (A and E) Entt 16/2/PT-17592/25-26/27547 dated 16.10.2025 and quash the same and consequently direct the respondent to grant family pension to the petitioner from 30.04.2023 till the date of disposal of the writ petition and for future dates.

For Petitioner : Mr.S.Ravi
For Respondent : Mr.L.Muralikrishnan
Standing Counsel



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4. As per the pension Rules, once the spouse of a Government Servant remarries, such spouse is not eligible to receive family pension. Admittedly, in the case on hand, the petitioner remarried one Anandhavalli after the demise of his first wife Seetha. After her death, the petitioner was paid family pension.

5. However, the learned counsel for the petitioner would submit that the petitioner was compelled to marry the said Anandhavalli and he was dragged to the office of the Joint Sub-Registrar, Cuddalore for registration of the marriage. It is contended that though the marriage was registered under the Hindu Marriage Act, there was no solemnization of marriage between the petitioner and the said Anandhavalli. Therefore, the registration of marriage itself is invalid.

6. In support of his contention, he also relied upon the Judgment of the Hon'ble Supreme Court of India in *Transfer Petition(C) No.2043 of 2023* in the case of *Dolly Rani Vs Manish Kumar Chanchal*. In the said Judgment, the Hon'ble Supreme Court of India dealt with the issue of a divorce petition and discussed the requirement of solemnization of marriage under Section 7 of the Hindu Marriage Act. It was held that in the absence of there being any such



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marriage in accordance with Section 7 of the Hindu Marriage Act, a certificate issued in that regard by any entity is of no legal consequence. Any registration of a marriage which has not at all taken place under Section 8 of the Hindu Marriage Act and as per the Rules made by the State Government would not be evidence of a Hindu Marriage and also does not confer the status of a husband and a wife to a couple.

7. In the case on hand, admittedly, the petitioner registered his marriage with Anandhavalli before the Joint Sub-Registrar, Cuddalore vide Marriage Sl.No.2146/2016. However, the said marriage was not registered under Section 8 of the Hindu Marriage Act. Though the petitioner alleged that he was dragged to the Sub Registrar Office and registered the marriage between the petitioner and the said Anandhavalli, the petitioner, even till today, did not challenge the Marriage Registration Certificate in the manner known to law.

8. Therefore, the above Judgment relied upon by the learned counsel for the petitioner is not at all applicable to the case on hand. When the petitioner is challenging the certificate of Registration of Marriage, on the ground that the marriage itself was not solemnized, the above Judgment is very much applicable. But in the case on hand, the petitioner registered the marriage with



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the said Anandhavalli, on 09.12.2016 and so far, he has failed to challenge the same in the manner known to law. Further, the petitioner suppressed the above said fact and continued to receive family pension even after the registration of marriage with the said Anandhavalli. Therefore, as on today, the registration of marriage is valid and subsisting. The Marriage Registration Certificate dated 09.12.2016 vide Marriage Sl.No.2146/2016 is very much in force.

9. In view of the above, this Court finds no infirmity or illegality in the order passed by the respondent dated 16.10.2025 and the writ petition is devoid of merits and is liable to be dismissed. The respondent is directed to recover the family pension which were already paid to the petitioner after 09.12.2016 in the manner known to law, within a period of eight weeks from the date of receipt of a copy of this order.

10. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

19.11.2025

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Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,

mn

To

The Senior Accounts Officer,
The Officer of The Principal Accountant General
(Accounts and Entitlements),
Tamil Nadu,
361, Anna Salai,
Teynampet, Chennai - 600 018.

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