



W.P.(MD)No.4018 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4018 of 2025

Rajam

... Petitioner

Vs.

1.The Secretary to Government,
Finance (Pension Department),
Fort St. George,
Chennai-600 009.

2. The Director of Administration,
Tamil Nadu State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai-600 002.

3. The Deputy Manager,
TamilNadu State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai-600 002.

4. The Tahsildar,
Thiruparankundram Taluk,
Madurai District,
Madurai.

... Respondents



W.P.(MD)No.4018 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to process her application for family pension dated 02.12.2024 without insisting for the "Both Are one Certificate" from the fourth respondent.

For Petitioner : Mr.T.Antony Arulraj

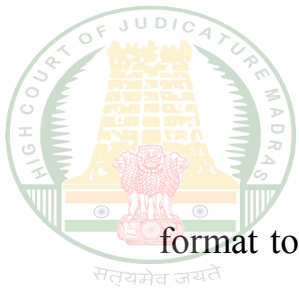
For Respondent
Nos.1 & 4 : Mr.T.Amjadkhan
Government Advocate

For Respondent Nos.2 & 3 : Mr.K.Senthil Kumar
Standing Counsel

ORDER

Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel for the respondent Nos.2 & 3 and the learned Government Advocate for the Respondent Nos.1 & 4 and carefully examined the materials available on record.

2. The case of the petitioner is that her husband namely Mr.S.Thangaiah, worked in the Respondent Transport Corporation as Superintendent and retired on 30.04.1997. During his lifetime, he received EPF- pension. He died on 22.08.2024, leaving behind the petitioner as his legal heir, as such the petitioner is entitled for the family pension. Accordingly, she made an application in due



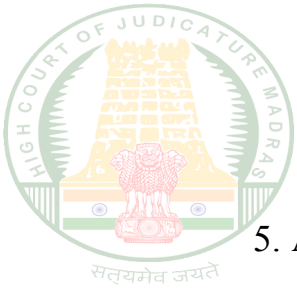
W.P.(MD)No.4018 of 2025

format to the second and third respondents. In response to the application, the

third respondent has issued a communication dated 18.12.2024 raising certain queries. One of the query is the subject matter in the present writ petition.

3. The learned Counsel for the petitioner submits that in the communication dated 18.12.2024, the third respondent informed to the petitioner that the name of the deceased employee has been recorded in the service register as Mr.Thangaian. But in the death certificate and the legal heir certificate submitted by the petitioner along with her application his name is mentioned as Mr.Thangaiah. As there is discrepancy in the name of the petitioner's husband. The third respondent sought to produce certificates from the fourth respondent to confirm that both the names reads one person or not.

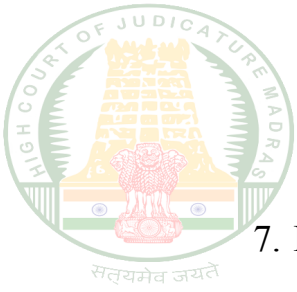
4. Pursuant to the communication dated 18.12.2024, on 30.12.2024, the petitioner approached the fourth respondent seeking certificate. The request of the petitioner is rejected by the fourth respondent stating that there is no such provision to issue such a certificate at this stage. Left with no other option, the petitioner approached this Court by filing this writ petition.



W.P.(MD)No.4018 of 2025

5. Admittedly, the petitioner is aged about 85 years and she is the wife of the deceased employee. In all other documents, the name of the husband of the petitioner is mentioned as Mr.Thangaiah. Admittedly, in the service records of the husband of the petitioner, the name of the petitioner has been recorded as nominee. It is also admitted fact that there is no such provision under any rules to enable the fourth respondent to issue such certificate as sought by the third respondent.

6. On consideration of these facts, it appears that while preparing the service register of the deceased, the said error had been occurred. It is by the respondent authorities only, the mistake occurred in recording the name of the husband of the petitioner as Thangaian instead of Thangiah. The same mistake has been carried out till the entire service of the husband of the petitioner. This Court is of the considered opinion that at the age of 85 years, no women can approach the respondent authorities to get family pension claiming one unknown person as her husband.



W.P.(MD)No.4018 of 2025

7. In view of the same, the third respondent has to consider the claim of the petitioner for family pension, taking into account of other documents, where the name of the husband of the petitioner is mentioned as Thangaiah. The respondents have to consider the admitted fact that the name of the petitioner has been recorded as nominee in the service register of the husband of the petitioner.

8. Accordingly, this writ petition is allowed with the following directions:

i) The respondent Nos.2 & 3 are directed to process the application of the petitioner for family pension dated 02.12.2024, without raising unnecessary queries and disburse family pension to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

25.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



WEB COPY



W.P.(MD)No.4018 of 2025

BATTU DEVANAND, J.

gvn

To:

- 1.The Secretary to Government,
Finance (Pension Department),
Fort St. George,
Chennai-600 009.
2. The Director of Administration,
Tamil Nadu State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai-600 002.
3. The Deputy Manager,
TamilNadu State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai-600 002.
4. The Tahsildar,
Thiruparankundram Taluk,
Madurai District,
Madurai.

W.P.(MD)No.4018 of 2025

25.03.2025