



W.P.(MD)No.22269 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22269 of 2025

Sampath Kumar

: Petitioner

Vs.

- 1.The Director of Local Fund Audit,
Directorate of Local Fund Audit,
Integrated Finance Department Complex,
Animal Multispecialty Hospital,
4th Floor, Nandhanam, Chennai.
- 2.The Assistant Director,
Panchayat Union, Pension Correction Division,
Local Fund Audit Department,
Perasiriyar K.Anbalagan Maligai,
4th Floor, Nandhanam, Chennai-600 035.
- 3.The Commissioner of Panchayat Union,
Uppiliyapuram,
Thoraiyur Taluk, Trichirappalli District.
- 4.The Block Development Officer,
Panchayat Union,
Uppiliyapuram, Thoraiyur Taluk,
Trichirappalli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned proceeding of the second



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respondent in Moo.Mu.No.E-423065//oo.oh.ooh.sa.(1)/2024/dated 24.06.2025, and quash the same as illegal, and thereby direct the second respondent to grant family pension to the Petitioner on the basis of the 75% loco-motor disability certified by the Medical Board, Government Hospital, Trichy, and the certificate bearing Disability ID No. TN1340619740102537 dated 07.08.2019 issued by the Department of Empowerment of Persons with Disabilities.

For Petitioner : Mr.C.M.Arumugam

For R-1 & R-2 : Mr.S.R.A.Ramanchandran,
Additional Government Pleader

For R-4 : Ms.S.Jeya Priya

ORDER

This writ petition has been filed seeking to quash the impugned proceedings of the second respondent in Moo.Mu.No.E-423065//oo.oh.ooh.sa.(1)/2024, dated 24.06.2025, and consequently direct the second respondent to sanction family pension to the petitioner on the basis of 75% loco-motor disability certified by the Medical Board, Government Hospital, Trichy, and the Disability Certificate bearing ID No. TN1340619740102537, dated 07.08.2019, issued by the Department of Empowerment of Persons with Disabilities.



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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the son of the deceased employee, viz., one P. Natarajan who was employed as a Record Assistant in the Panchayat Union Office of Uppiliyapuram Panchayat Union. The petitioner's father retired from service in the year 2000 and subsequently died in the year 2013. Thereafter, the petitioner's mother received the family pension until her death in the year 2020.

4. The petitioner, in the year 2019, met with a road accident and sustained grievous injuries, resulting in 75% loco-motor disability. After the demise of his mother, the petitioner submitted an application to the respondents seeking sanction of family pension in his favour on account of his disability. However, the said request came to be rejected by the impugned proceedings, which is under challenge in this writ petition.

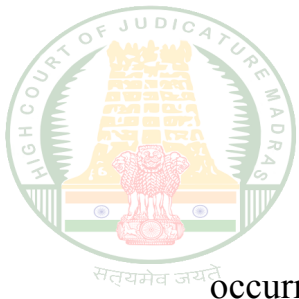


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5. The learned Additional Government Pleader appearing for the respondent Nos.1 and 2 would submit that as per Rule 49(6)(iii) of the Tamil Nadu Pension Rules, 1978, the family pension shall be payable to the unmarried or widowed/divorced daughter until she attains the age of 25 years or until she gets married, whichever is earlier. Similarly, in the case of a son, he is entitled to family pension only till he attains the age of 25 years. However, in the case of a son or daughter suffering from a mental or physical disability that renders him or her unable to earn a livelihood, family pension is admissible for life, subject to fulfillment of the conditions stipulated under the Rules.

6. In the present case, the petitioner's father died in the year 2013, and thereafter, the family pension was received by the petitioner's mother until her death in the year 2020. The petitioner attained the age of majority much earlier, and only in the year 2019, he unfortunately met with an accident resulting in disability. Therefore, on the date of the death of the petitioner's father as well as on the date of the death of his mother, the petitioner was not a person with disability so as to qualify for the benefit of family pension under Rule 49(6)(iii). The subsequent



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occurrence of disability cannot create an eligibility that did not exist at the relevant time.

7. In such view of the matter, the claim of the petitioner cannot be sustained, and the rejection order passed by the second respondent does not suffer from any illegality warranting interference of this Court.

8. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

14.08.2025

Index : Yes / No

NCC : Yes / No

TSG

To

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M.DHANDAPANI, J.

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