



W.P.(MD).No.22038 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.22038 of 2024

P.Angayarkanni

...Petitioner

Vs

The Administrator,
TNSTC Employees Pension Fund Trust,
Pallavan Salai,
Chennai -600 009

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the Impugned letter of the Respondent in Parvai/Va.Vai.Nithi5/WPO2965 dated 15.7.2024 and quash the same and to directing the respondent to disburse the petitioners eligible full family pension from the month July 2022 further direct the respondent to pay the petitioner left out pension for the month June 2022 by considering her representation dated 28.6.2024 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : M/s. K. Viralinathan

For Respondent : M/s.S.C.Herold Singh
Standing Counsel



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ORDER

WEB COPY

This writ petition has been filed challenging the impugned letter of the Respondent in Parvai/Va.Vai.Nithi5/WPO2965 dated 15.7.2024 and seeking consequential direction to the respondent to disburse the petitioner's eligible full family pension from the month July 2022 further direct the respondent to pay the petitioner left out pension for the month June 2022 by considering her representation dated 28.06.2024.

2. The claim of the petitioner is that the petitioner had been rejected for grant of Dearness Allowance along with the Family Pension that she became benefited due to the death of her husband. The petitioner had relied upon a judgment of the Hon'ble Division Bench of this Court which had upheld the judgment of the learned Single Judge holding that the family pensioner is entitled for Dearness Allowance by referring to a judgment of the Hon'ble Apex Court reported in 2000 (2) SCC 227 and also various decisions of this Court apart from the Government order in G.O.(Ms).No.327 dated 20.10.2019 which had been issued ratifying the position based upon the Hon'ble Apex Court judgment indicated supra.



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3. The reasons attributed by the respondent to deny the petitioner the Dearness Allowance cannot be entertained, as it is to be noted that the judgment made in the Writ Appeal that had been relied upon by the petitioner was also an Intra-Court Appeal that had been instituted by the respondent herein. Therefore, the respondent also cannot be permitted to take a different stand before this Court by relying upon the Rules in the Government Order.

4. In view of the judgement of the Division Bench as referred above, this Writ Petition stands allowed and the impugned order herein is set aside, there shall be a direction to the respondent to disburse the petitioner's eligible full family pension from the month of July 2022. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

13.11.2025

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



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To:

The Administrator,
TNSTC Employees Pension Fund Trust,
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K.KUMARESH BABU, J.

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