



W.P.(MD)No.21746 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.08.2025**

CORAM:

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

W.P.(MD) No.21746 of 2025
and
W.M.P.(MD) No.16840 & 16841 of 2025

S.Malliga

: Petitioner

Vs.

1. The Chief Internal Audit Officer,
TANGEDCO,
NPKRR Maaligai, 1st Floor,
No. 114, Anna Salai,
Chennai - 600002.

2. The Superintending Engineer,
TANGEDCO,
Ramamoorthy Road,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to quash the impugned order dated 30.04.2024 in Ka.No. 015105/878/ Ni.A/Ni.Me/Ni.Pi.2/Vuthavi.3/2024 passed by the 2nd respondent and quash the same and consequently directing the respondents to sanction and disburse the family pension to the petitioner in accordance with law, within a stipulated time.



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For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.Arivalagan

Standing Counsel

ORDER

The instant writ petition has been filed challenging the impugned order dated 30.04.2024 in Ka.No. 015105/878/ Ni.A/Ni.Me/Ni.Pi. 2/Vuthavi.3/2024 passed by the 2nd respondent with a consequential direction to the respondents to sanction and disburse the family pension to the petitioner in accordance with law, within a stipulated time.

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

3. The petitioner is the legally wedded wife of the deceased employee, Paulpandi, who voluntarily retired from service in the year 2020. Due to matrimonial discard, the petitioner and her husband, Paulpandi got divorced vide order dated 03.07.2018 in HMOP No.25 of 2015 before the Subordinate Court, Sivakasi, wherein monthly maintenance was also ordered. While this being so, the said Paulpandi



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died on 30.09.2020. After his death, the petitioner made a representation to the respondents seeking sanction of family pension and the same was rejected vide the impugned order. Challenging the same, this writ petition came to be filed.

4. The learned counsel appearing for the petitioner submits that the petitioner's representation seeking family pension of the deceased Paulpandi has been rejected vide the impugned order stating that the divorcee is not entitled for family pension. The petitioner is a divorcee and she remains unmarried. Due to the wedlock, she has one male child also.

5. The learned counsel appearing for the petitioner further submits that the deceased Paulpandi left one male child, who is in custody of the petitioner. Though the petitioner is not entitled for getting family pension, the son of the deceased is eligible for getting family pension in terms of Rule 49 of the Tamil Nadu Pension Rules, which is also applicable to the Electricity Board.



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6. The learned counsel appearing for the respondents would submit that if any representation is made by the son of the deceased Paulpandi, the same will be considered after verification of relevant records and appropriate orders will be passed on the same.

7. Heard the learned counsel on either side and perused the materials placed before this Court.

8. Considering the facts and circumstances of this case, the legal heir of the deceased Paulpandi, is at liberty to make a fresh representation seeking family pension within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents shall consider the same and pass appropriate orders as per the applicable Electricity Rules and also the Tamil Nadu pension Rules, within a period of six weeks thereafter.



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9. With the above direction, this writ petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.08.2025

Index : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

Sm

To:-

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