



W.P(MD)No.26691 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2025

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THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

WP(MD)No.26691 of 2019

S.Jeya

... Petitioner

Vs.

1.The Chief Internal Audit Officer,
Tamil Nadu Electricity Board,
TANGEDCO, 144 Anna Salai,
Chennai-600 002.

2.The Superintending Engineer,
TANGEDCO, Udumlaipettai,
Distributaion Circle,
Udumalaipettai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to cancel the order dated 08.10.2018 issued by Supervisory Engineer, Udumalaipettai Division, Udumalaipettai vide letter No.025997/312/Me.Po/Udu/ Nir.3./U. 6/Ko.Ku.O/2018 and quash the same and consequently direct the respondents to issue family pension to the petitioner.

For Petitioner : Mr.M.Alagappan

For Respondents : Mr.R.Ramanathan
Standing Counsel

ORDER

The present writ petition has been filed challenging the rejection of the disbursal of the pension to the petitioner on the ground of divorce obtained



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by the deceased employee, who is none other than the husband of the petitioner, in H.M.O.P.No.77 of 2008.

2.The learned counsel for the petitioner would submit that behind the back of the petitioner, H.M.O.P.No.77 of 2008 was ordered on 30.03.2009. Though the petitioner's husband died on 01.04.2017, until the order impugned in this writ petition is received, the petitioner did not aware even about the filing of the divorce proceedings. Hence, he prays to interfere with the impugned order.

3.The said contention was totally objected by the learned Standing Counsel for the respondents. He would contend that when there is an order by the competent Court dissolving the marriage between the petitioner and the deceased employee, notwithstanding the *inter se* dispute between the petitioner and her husband, the authorities are bound by the same. The petitioner's husband obtained a decree of divorce as against the petitioner and hence, she cannot, no longer be considered as a wife of the deceased employee. Hence, the impugned order of rejection is in accordance with law and the same need no interference.



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4.I have given my anxious consideration to either side submissions and perused the materials placed on record.

5.While considering the impugned order, the main ground urged by the respondents is that, the divorce granted against the petitioner. Admittedly, there is no serious dispute in respect of the existence of decree of divorce in H.M.O.P.No.77 of 2008.

6.Whereas the petitioner contends that she did not aware of the said proceedings and no notice was served upon her. If that being the case, it is for the petitioner to approach the appropriate Court seeking to set aside the decree of divorce obtained by the deceased employee as against the petitioner. Until such order is obtained, the rejection order passed by the authorities is well within the contours of the law. Therefore, this Court absolutely does not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

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Index : Yes/No
Neutral Citation : Yes/No
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To
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- 1.The Secretary,
Dept of School Education,
Fort St.George Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Joint Director of School Education(Vocational),
College Road, Chennai-600 006.
- 4.The Chief Educational Officer,
Kanyakumari District,
Nagercoil.



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C.KUMARAPPAN, J.

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