



W.A(MD)No.3027 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A(MD)No.3027 of 2025
and
C.M.P(MD)No.17228 of 2025

Muthulakshmi,
D/o.Narayanan,
D.No.HIGA/1C/1, Tamil Nadu Housing Board,
Sankaraperi,
Thoothukudi District. ... Appellant

Vs.

- 1.N.Krishnammal
- 2.The State of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department,
Secretariat, St.George Fort,
Chennai - 600 009.
- 3.The Commissioner of Revenue Administration,
Ezhilagam, Chennai.
- 4.The Accountant General,
No.361, Anna Salai, Chennai - 600 018.
- 5.The District Collector,
Thoothukudi District, Thoothukudi.



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6.The District Treasury Officer,
Office of the District Treasury,
Collector Office Complex,
Thoothukudi District - 628 101. ... Respondents

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order in W.P.(MD)No.19899 of 2021 dated 11.04.2023 on the file of this Court.

For Appellant : Mr.Akhilesh Sudhakar
for Mr.S.Mandhiralingeswaran

For Respondents : Mr.N.Dilip Kumar (R1)
: Mr.M.Sarangan (R2, R3, R5 & R6)
Additional Government Pleader
: Mr.P.Gunasekaran (R4)

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

We had, when the matter had come up 'for admission' on 29.10.2025, passed the following order:

Mr.N.Dilip Kumar, learned counsel, accepts notice for R1, Mr.M.Sarangan, learned Additional Government Pleader accepts notice for R2, R3, R5 & R6 and Mr.P.Gunasekaran, learned counsel accepts notice for R4.

2.The order impugned before us is defended on the ground that the appellant is the daughter of one



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Vedhavalli and Sriram Iyyangar and not the daughter of Narayanan, the husband of R1, pursuant to whose demise the claim for family pension arises.

3.Paragraph 6 of the order of the writ Court refers to the petition filed in H.M.O.P.No.44 of 2003 before the Sub Court, Thoothukudi where Narayanan had specifically pleaded that the appellant/Muthulakshmi was the daughter of Vedhavalli and Sriram Iyyangar and though he was attached to her as his own daughter, she was not his biological daughter.

4.It is on the basis of this position that the writ Court allowed the Writ Petition granting a Mandamus for payment of family pension to R1, who is the widow of Narayanan.

5.That apart, even assuming that the appellant was the daughter of Narayanan, the grant of family pension to her is barred in view of 49(6)(iii) of the Tamil Nadu Pension Rules, 1978 (in short 'Rules'), which reads as follows:

'49.Family Pension.-

.....

(6)

(iii) In the case of an unmarried daughter, until she attains the age of twenty five years or until she gets married whichever is earlier'.

6.Rule 49 of the Rules deals with Family Pension. Sub-Rule (6), which stipulates the period for which the family pension is payable, states in clause (i) that in the case of a widow or widower up to the date of death or remarriage, whichever is earlier and in sub-clause (iii), that in the case of an unmarried daughter, until she attains the age of 25 years or until she gets married, whichever is earlier. Hence, a married daughter stands excluded from the grant of family pension.

7.In the present case, the pleading in the H.M.O.P is categorical to the effect that the appellant had been



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married to one Raghava Moorthi in 1987, long prior to the demise of Narayanan on 30.01.2018. She is not therefore entitled in law to family pension.

8.Mr.S.Aravinth Kumar, learned counsel appearing for the appellant, seeks a day's time to get instructions.

9.List on 30.10.2025.

2. Thereafter, the matter was adjourned at the instance of Mr.Aravinth Kumar for the presence of senior counsel.

3. Today, we have heard Mr.Akhilesh Sudhakar, learned counsel for Mr.S.Mandhiringeswaran, learned counsel for the appellant, who would not have anything to say that would persuade us to change the view indicated by us on 29.10.2025.

4. Hence with the reasons assigned above, we see no merit in the Appeal and this writ appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
13.11.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
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To
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