



WP(MD). No.27877 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 15/10/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.27877 of 2025

and

WMP(MD)No.21650 of 2025

Girija

... Petitioner

Vs

1. The Principal Accountant General(A and E),  
Office of the Accountant General,  
Tamilnadu Authorization  
Revision of Pension/  
Gratuity/commutation,  
Annasalai, Chennai.

2. The District Social Welfare Officer,  
District Social Welfare Office,  
Pudukkottai,  
Pudukkottai District.

3. The District Treasury Officer,  
District Treasury Office,  
Pudukkottai, Pudukkottai District.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India,  
praying this Court to issue a Writ of Certiorarified Mandamus to call for

1/6



WP(MD). No.27877 of 2025

the records pertain to the impugned order dated 17.04.2024 passed by the 1st respondent through his proceedings vide P14/1/11422534/ADK/557 and quash the same as illegal and consequently direct the respondents to disburse the family pension to the petitioner towards the pensioner i.e my deceased husband Santhanam.

For Petitioner : Mr. T.Indrachithu,  
Advocate.

For Respondents : Mr.S.Mahalakshmi for R1

Mr.F.Deepak for R2 and R3  
Special Government Pleader

### **ORDER**

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus to call for the records pertain to the impugned order dated 17.04.2024 passed by the 1st respondent through his proceedings vide P14/1/11422534/ADK/557 and quash the same as illegal and consequently direct the respondents to disburse the family pension to the petitioner towards the pensioner i.e my deceased husband Santhanam.

2. The learned counsel for the petitioner would submit that the petitioner is the second wife of one Santhanam, who was working in the second respondent, had nominated his wife / Susila as his legal heir to



WP(MD), No.27877 of 2025

receive terminal benefits. During the life time of his first wife /Susila, the said Santhanam, had also married one Girija / petitioner herein and she had been living along with him from the year 1997. He would submit that the first wife of the said Santhanam, had died on 21.11.2000. The said Santhanam also died on 26.05.2021 and thereafter, the petitioner had made a representation to the respondents to include her name as the legal heir and nominee and the same was rejected by the first respondent through his proceedings vide P14/1/11422534/ADK/557 dated 17.04.2024, by holding that since the petitioner had married the deceased employee Sanathanam before the death of his first wife, the petitioner is not eligible for family pension.

3. Learned Special Government Pleader appearing for the respondents would submit that the marriage of the deceased employee with the petitioner / Girija, is a void marriage as the same had taken place during the lifetime of his first wife Susila and therefore, the name of the petitioner cannot be recorded as a nominee or legal heir of the deceased employee. Therefore, he would submit that the prayer sought for in the petition is not maintainable.



WP(MD), No.27877 of 2025

WEB COPY

4. I have considered the submissions made on either side. It is to be seen that the said Santhanam was married to his first wife Susila and during the subsistence of the said marriage, he also married the petitioner /Girija. Admittedly, Susila is the first wife of Santhanam and she died on 21.11.2000, which is evidenced by the death certificate issued by the appropriate authority in that regard. It is not the case that the said Girija had not been living with Santhanam. It is the claim of the petitioner that till the lifetime of his husband, she is the one who took care of him. In such view of the matter, even though the alleged marriage with the petitioner was solemnized during the lifetime of the first wife, is a void marriage, after the death of the first wife, the marriage of the petitioner with the deceased employee Santhanam, gets it is valid.

5. In such view of the matter, the order impugned in this writ petition is set aside and there shall be a direction to the respondents to record the name of the petitioner as the legal heir and nominee of the deceased employee and disburse the eligible family pension of the Santhanam, to the petitioner herein.



WP(MD). No.27877 of 2025

6. With the above direction, this writ petition is allowed. No costs.

Consequently, connected miscellaneous petition stands closed.

15.10.2025

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

pnn

To

1. The Principal Accountant General(A and E),  
Office of the Accountant General,  
Tamilnadu Authorization  
Revision of Pension/  
Gratuity/commutation,  
Annasalai, Chennai.

2. The District Social Welfare Officer,  
District Social Welfare Office,  
Pudukkottai,  
Pudukkottai District.

3. The District Treasury Officer,  
District Treasury Office,  
Pudukkottai, Pudukkottai District.

5/6



WEB COPY



WP(MD). No.27877 of 2025

**K.KUMARESH BABU, J.**

pnn

ORDER  
IN  
**WP(MD). No.27877 of 2025**  
**and**  
**WMP(MD)No.21650 of 2025**

Date : 15/10/2025