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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10.12.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.35410 of 2025
and WMP(MD)No.28104 of 2025

R.Valarmathi ... Petitioner

versus

1. The State of Tamil Nadu,
   Rep. by its Principal Secretary to Government,
   Transport Department,
   Secretariat,
   St. George Fort,
   Chennai.

2. The Administrator,
   Tamil Nadu State Transport Corporation,
   Employees Pension Fund Trust,
   Thiruvalluvar House,
   No.2, Pallavan Salai,
   Chennai – 600 002.

3. The Managing Director,
   Tamil Nadu State Transport Corporation
   (Madurai) Ltd.,
   By Pass Road,
   Madurai – 625 010. ... Respondents

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Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 3rd respondent vide his proceedings in பார்வை/வ.வை.நிதி5/5381 dated 13.11.2025 and quash the same as illegal and consequently direct the respondents to revise the family pension of the petitioner along with dearness allowance and disburse the family pension with dearness allowance including the arrears thereof with an accrued interest at the rate of 12% per annum and disburse the same within the time frame that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For R1 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
For R2 : Mr.S.C.Herold Singh
For R3 : Mr.K.Ramaiah

ORDER

The petitioner's husband A.Ravichandran, who was working as a Deputy Manager in the 3rd respondent Transport Corporation, retired from service on 31.07.2022 and died on 13.12.2022. The petitioner is also working as Deputy Director/P.A.(Agri) to the District Collector, Theni. After the demise of her husband, the petitioner is receiving the

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family pension. However, she has been denied Dearness Allowance on the family pension. Therefore, she submitted a representation dated 04.11.2025 to the respondents, seeking to revise the family pension by adding the dearness allowance. The 3rd respondent, vide his proceedings dated 13.11.2025, rejected the request of the petitioner on the ground that since she is working as P.A. in the Agricultural Department, she is not entitled for dearness allowance on family pension and G.O.Ms.No.112 dated 24.03.2008 is applicable only to the pensioners and not to the family pensioners. Challenging the same, the present writ petition has been filed.

2. In fact, the dearness allowance on family pension was suspended by the Government of Tamil Nadu, vide G.O.Ms.No.191, Finance (Pension) Department, dated 16.03.1996. However, the Government of India, in its office memorandum, dated 02.07.1999, has issued orders allowing dearness allowance on family pension to the employed family pensioners at the rates applicable from time to time. In view of the memorandum of the Government of India dated 02.07.1999, the Government of Tamil Nadu, vide G.O.Ms.No.112 dated 24.03.2008,

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decided to allow dearness allowance on family pension in the case of employed family pensioners. Therefore, the impugned order passed by the 3rd respondent, rejecting the request of the petitioner for providing dearness allowance on the family pension on the ground that since she is working as P.A. in the Agricultural Department, she is not entitled for dearness allowance on family pension, cannot be sustained.

3. Accordingly, this writ petition is allowed and the impugned order passed by the 3rd respondent vide his proceedings in பார்வை/ வ.வை.நிதி5/5381 dated 13.11.2025 is hereby set aside. No costs. Consequently, connected miscellaneous petition is closed.

10.12.2025

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Index : Yes / No.
Internet: Yes / No.
NCC : Yes / No.

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