



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

WP No.49609 of 2025

A.Saraswathy
D/o.Late.A.Kuppammal
231, Natham Road, Nambikottai
Athiyanoothu, Dindigul 624 003

Petitioner

Vs

1. The Union of India
Rep.by its the Chief Personnel Officer
Southern Railway
General Manager Office
Chennai Central, Chennai 600 003
2. The Divisional Railway Manager
Southern Railway, Divisional Office
Madurai 625 010

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records of the impugned order of the Hon'ble Central Administrative Tribunal, Chennai in OA/310/00925/2022 dated 07.05.2024 and quash the same as illegal.

For Petitioner: Ms.D.Sneha for Mr.M.Prakash

For Respondents: Mr.J.Vasu
Senior Panel Counsel



ORDER

(Order of the Court was made by P.Velmurugan J.)

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WMP No.56707 of 2025 seeking to dispense with the production of the impugned order, stands ordered.

2. The petitioner has filed the present writ petition challenging the impugned order passed by the Central Administrative Tribunal, Chennai Bench in O.A.No.925 of 2022 dated 07.05.2024, in and by which the request of the petitioner for grant of family pension has been rejected.

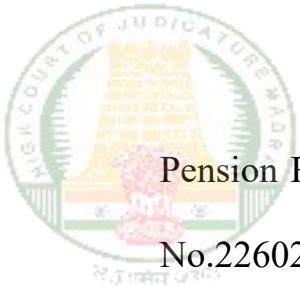
3. We have heard the learned counsel appearing on either side and perused the materials available on record.

4. The petitioner pleaded before the Central Administrative Tribunal, Chennai Bench that her mother, Smt.A.Kuppammal was appointed as Safaiwala on compassionate grounds in the Southern Railway, Madurai Division on 18.01.1979 following the death of her husband. While so, her mother passed away on 16.02.2001 and the petitioner, on the ground that she got separated from her husband and living with her mother since 1998, submitted various representations to the respondents to appoint her on compassionate grounds and also grant her the family pension. The said request ultimately came to be rejected by the respondents vide the order dated 31.01.2022. Aggrieved by the



said order, the petitioner preferred the above original application before the Tribunal, which came to be dismissed holding that the petitioner has miserably failed to make out a case for grant of family pension. The said order has been put to challenge in this writ petition.

5. While considering the grievance of the petitioner, the Tribunal found that though the petitioner claimed that she got separated from her husband through a deed of dissolution of marriage dated 11.06.1998 and hence eligible for the grant of family pension after the death of her mother, as per Railway Board's circular RBE No.102/2017 dated 23.08.2017, the family pension can be granted to a divorced daughter only in such case where the divorce was obtained or at least divorce proceedings had been filed in a competent Court during the life time of the employee/pensioner. Since the petitioner obtained divorce only through a deed of dissolution of marriage before the Panchayat on 11.06.1998 and even the decree passed in the HMOP No.610 of 2009 by the learned Principal Subordinate Judge, Tiruchirappalli dated 01.01.2010 was much after the demise of her mother on 16.02.2001, the Tribunal held that the petitioner is not entitled for any relief. It was further held by the Tribunal that no evidence whatsoever was produced by the petitioner to show that she obtained the decree of divorce from the competent Court or became a widow before the death of her mother on 16.02.2001 to enable the respondents to consider the request of the petitioner for grant of family pension under Rule 54 of the CCS



Pension Rules, 1972. It is to be noted that the Hon'ble Apex Court in SLP (C) No.22602 of 2017 dated 10.03.2021, has dismissed the appeal of similarly placed persons. Even the decree obtained by the petitioner in the year 2010 from the competent Court shows that the petitioner and her husband had been living separately from the year 2005 and there is no whisper in that decree that she got separated before the Panchayat during the year 1998. As rightly held by the Tribunal, when the decree of divorce was obtained by the petitioner only after the demise of her mother in the year 2001, she is not entitled for the grant of family pension. Therefore, we do not find any infirmity in the order passed by the Tribunal rejecting the request of the petitioner for grant of family pension. Accordingly, the writ petition stands dismissed. No costs.

(P.VELMURUGAN J.) (K.GOVINDARAJAN THILAKAVADI J.)
26-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

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1. The Registrar
Central Administrative Tribunal
Chennai Bench, Chennai 600 104
2. The Chief Personnel Officer
Southern Railway
General Manager Office
Chennai Central, Chennai 600 003
3. The Divisional Railway Manager
Southern Railway, Divisional Office
Madurai 625 010



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