

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.04.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.8337 of 2026

Sathiyarani

...Petitioner

Vs

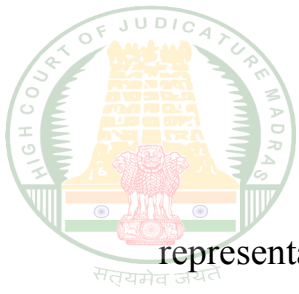
1. Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Post Box No.27,
Railway Station New Road,
Kumbakonam
Thanjavur District.

2. The General Manager,
TNSTC (Kumbakonam) Ltd,
Karaikudi Regional,
Karaikudi,
Sivagangai District.

3. Tamil Nadu State Transport Corporation,
Employees' Pension Fund Trust,
Rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 2.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents herein to provide the family pension to the petitioner with arrears from the date of death of her husband i.e., from 01.08.2023 and other monetary benefits based on her



representation dated 31.12.2025.

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For Petitioner : M/s.K.Yasar Arafath
For Respondents : Mr.K.Ramaiah
Standing Counsel for R1 & R2
Mr.K.Ramaiah
Standing Counsel for R3

* * * * *

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents herein to provide the family pension to the petitioner with arrears from the date of death of her husband i.e., from 01.08.2023 and other monetary benefits based on her representation dated 31.12.2025.

2. It is the case of the petitioner that her husband late Selvam originally married to one Thanukodi and after her demise on 12.12.1992, the said Selvam married to the petitioner herein and through her, he had begotton two children. It is further case of the petitioner that the said Selvam after being served in the respondent Corporation till 31.03.2020, retired from service on attaining the age of superannuation and passed away on 01.08.2023. Thereafter, the petitioner approached the respondents and made a claim for payment of family pension



with arrears. But the said request has not been considered by the respondents.

Hence, the petitioner also submitted a representation on 31.12.2025, but no action taken by the respondents till date. Hence, the petitioner approached this Court by filing the present writ petition.

3. The learned Counsel appearing for the petitioner contended that late Selvam married to the petitioner herein after the demise of his first wife and his marriage is legal and permissible under law. He also submitted that after the demise of the said Mr.Selvam, the children of the first wife of the late Selvam and the children of the petitioner herein have obtained a legal heir certificate from the competent authority, wherein the petitioner herein was shown as the widow of the deceased Mr.Selvam and the said legal heir certificate was submitted while making the request for release of family pension along with arrears. Despite the submission of the legal heir certificate from the competent authority, the respondents have not taken any steps for release of family pension to the petitioner.

4. Mr.S.C.Herold singh, the learned Standing Counsel appearing for the third respondent submitted that the deceased, during his lifetime never nominated the petitioner for payment of family pension. On the other hand, the



said late Mr.Selvam had addressed a letter to the third respondent intimating about the demise of his first wife in the year 1992 and also the petitioner herein as the second wife. The learned Standing Counsel also submitted that the name of the petitioner herein has not been entered in the Service Register of the deceased employee and the name of the first wife namely, Thanukodi, was entered and therefore, the respondents are not in a position to take steps to process the representation submitted by the petitioner.

5. This Court has considered the submissions made on either side and perused the materials available on records.

6. From the submission made by the learned Standing Counsel appearing for the third respondent, it is evident that the deceased employee during his lifetime informed to the third respondent about the demise of his first wife as early as in the year 1992 and also the petitioner herein as the second wife. For that reason, the deceased employee has not taken any steps to enter the name of the petitioner herein either in the Service Register or in the pension papers. In view of the fact that the petitioner herein being the second wife of the deceased employee is an admitted and added to that, the petitioner also produced the legal heir certificate, dated 01.11.2023, wherein the petitioner



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herein is shown as the second wife/widow of the deceased employee, the respondent cannot expect any other evidence other than the legal heir certificate issued by the competent authorities in order to ascertain the status of the petitioner herein. Once the petitioner is able to establish that she is the legally wedded wife of the deceased employee, irrespective of the fact that her name is entered in the service register or not, it is for the respondents to release the family pension on the demise of the deceased employee.

7. In the instant case, enough materials is placed before this Court to substantiate that the petitioner herein is the second wife of the deceased employee and married to the employee after the demise of his first wife and the same is also corroborated by the letter of the deceased employee addressed to the third respondent as early as in the year 1992.

8. In the light of the above, this Court is unable to understand why the respondents have not taken any action on the request made by the petitioner for release of the family pension for about 3 years. In such circumstances, considering the fact that the petitioner also waited for almost 3 years for approaching this Court, this Court is of the considered view this is a fit case where discretion of this court under Art. 226 is required to be exercised.



Accordingly, the respondents are directed to forthwith release the family pension together with arrears of pension and other monetary benefits payable to the petitioner herein, as expeditiously as possible, at any rate, within a period of 6(six) weeks from the date of receipt of a copy of this order.

9. With the above said directions, this Writ Petition stands allowed. No costs.

21.04.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Post Box No.27,
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2. The General Manager,
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3. The Administrator,
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MUMMINENI SUDHEER KUMAR, J.

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