

**CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH, CHENNAI  
Original Application No. 1044 of 2013**

Today, this Thursday the 20<sup>th</sup> day of August, 2015

**CORAM: HON'BLE JUSTICE SHRI B. SESHASAYANA REDDY...MEMBER (J)  
HON'BLE DR. P. PRABAKARAN.... MEMBER (A)**

K. Subbammal, aged 65 years,  
W/o. R. Kaliappan (late)  
No.354/3 Thoonganampatty,  
Selapady Post,  
Dindigul,  
624 005.

.....Applicant

[by Advocate: M/s R. Rangaramanujam]

Vs

1. Union of India Rep. by  
The Chairman, Railway Board,  
New Delhi;
2. The General Manager,  
Southern Railway,  
Park Town,  
Chennai- 600 003;
3. The Divisional Personnel Officer,  
Personnel Branch, Southern Railway,  
Madurai Division,  
Madurai-10;
4. Tmt. Nagakkal,  
W/o. Azhagiri Gounder,  
Old No.37, New No.1/84  
Kermanampatty,  
Kothapuli,  
Dindigul: 624 300.

.....Respondents

[by Advocate: Ms. A. Lakshmi R1-3

M/s. G.B. Motcham R-4]

**O R D E R (Oral)**

**Per: B. Seshasayana Reddy, M(J):-**

This O.A. is filed by K. Subbammal Under Section 19 of the Administrative Tribunals' Act 1985 assailing the order passed by the Divisional Personnel Officer, Personnel Branch, Southern Railway, Madurai Division, Mudurai- 3<sup>rd</sup> Respondent, whereby and there-under, her application for grant of family pension has not been considered.

2. The facts of the case are that the applicant claims to be the widowed daughter of pensioner, namely, V. Perumal(late). She submitted representation to the department of the respondents 1 to 3 for grant of family pension on the ground that she is widowed daughter of the pensioner. The 4<sup>th</sup> Respondent approached the department of respondents 1 to 3 claiming pension on the ground that she is widowed daughter of the pensioner. She produced necessary documents and thereupon the department of Respondents 1 to 3 proceeded to grant family pension to 4<sup>th</sup> Respondent. It is the grievance of the applicant that she is living in more poverty when compared to the 4<sup>th</sup> respondent and therefore she deserves for grant of family pension. It is also the case of the applicant that the 4<sup>th</sup> respondent owns considerable landed property of Ac. 15.00 and therefore she does not deserve for family pension under the category of widowed daughter of the pensioner.

3. Heard learned appearing for the parties.

*B. Seshasayana Reddy*



1. Respondent Nos.1 to 2 entered appearance and filed their counter.

Though Respondent No.4 entered appearance through a counsel, no counter has been filed.

5. As seen from the material placed on record, the department of the respondents 1 to 3 directed the applicant to furnish necessary property particulars of her sister, being 4<sup>th</sup> respondent, under letter dated 18.08.2009. It is for the applicant to place sufficient material before the department to withdraw the family pension granted to the 4<sup>th</sup> respondent under the category of widowed daughter of the pensioner. Instead of furnishing necessary particulars to the department, she approached this court invoking the jurisdiction Under Section 19 of the Administrative Tribunals' Act. Therefore, we are not inclined to adjudicate the claim of the applicant in this O.A. However, it is left open to the applicant to approach the department with necessary particulars to support her claim that she is more eligible to claim family pension under the category of widowed daughter instead of 4<sup>th</sup> respondent. Reserving the said liberty, the O.A. is disposed of.

6. With the above direction, the O.A. is disposed of. There shall be no order as to costs.