

**Central Administrative Tribunal
Madras Bench**

OA/310/01166/2018

Dated Thursday the 30th day of August Two Thousand Eighteen

P R E S E N T

Hon'ble Mr. R.Ramanujam, Member(A)

&

Hon'ble Mr.P.Madhavan, Member(J)

C.Jayalakshmi
Wd. D/o late P.Chinnappan,
Ex. Sr. Gangman,
No.394, Housing Board,
Kannankurichi Post,
Salem 636 008.
By Advocate **M/s.Ratio Legis**

.. Applicant

Vs.

1. Union of India, rep by
The General Manager,
Southern Railway,
Park Town, Chennai 600 003.
2. The Senior Divisional Personnel Officer,
Tiruchchirappalli Division,
Southern Railway,
Trichy.

.. Respondents

By Advocate **Mr.P.Srinivasan**

ORAL ORDER

(Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following relief:-

“to call for the records related to the service of late P.Chinnappan in the Railway service and the latest representation dated 29.8.2017 accompanied by necessary documents and to direct the respondents to extend the benefit of Family Pension to the applicant effective from 03.2.2016 in terms of Rule 75 of the Pension Rules with admissible interest and to pass such other order/orders as this Tribunal may deem fit and proper and thus to render justice.”

2. It is submitted that the applicant's father who was an employee with the respondents died on 25.12.2002 after which her mother was getting family pension. Later, the applicant's mother died on 02.2.2016. In the meantime, the applicant had obtained a decree of divorce on 18.11.2009 from the Family Court, Salem and accordingly, she was a divorced daughter as on the date of death of the family pensioner. She is, therefore, eligible for family pension, it is contended.

3. It is further submitted that the applicant made Annexure A1 representation dated 29.8.2017 seeking family pension which is still pending with the respondents. Accordingly, the applicant would be satisfied if the authorities are directed to consider it in accordance with law and the facts of her case and pass a reasoned and speaking order within a time limit prescribed by this Tribunal.

4. Mr.P.Srinivasan takes notice for the respondents

5. Keeping in view the limited relief sought and without going into the substantive merits of the claim, the competent authority is directed to consider

Annexure A1 representation dated 29.8.2017 of the applicant in accordance with law and in the light of the facts of her case and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of with the above direction at the admission stage.

(P.Madhavan)
Member(J)

30.8.2018

(R.Ramanujam)
Member(A)

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