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W.P.NO.26142 OF 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**W.P.NO.26142 OF 2024
AND
WMP NOS.28558 AND 28559 OF 2024**

- 1.Union of India
Rep. By the General Manager
Southern Railway
Park Town, Chennai – 600 003.
- 2.The Senior Divisional Personnel Officer
Chennai Division,
Southern Railway,
Park Town, Chennai – 600 003. ... Petitioners

Vs.

- 1.The Registrar
The Central Administrative Tribunal
Chennai Bench
Chennai – 600 104.
- 2.G.Chengalan
Step-son of Late G.Kalaiselvi
Ex. Pointsman / SMR / Ponneri
Killikodi Village, Kavaraipettai Post,
Ponneri Taluk, Trivellore District – 601 206. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records pertaining to

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order dated 07.06.2023 passed in Original Application No.409/2017 on the file of the first respondent, quash the same.

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For Petitioners : Mr.A.R.Sakthivel
(SPCCG)
For Respondent - 1 : Tribunal (CAT)
For Respondent - 2 : No appearance

ORDER

(Order of the Court was made by S.M.Subramaniam, J.)

Under assail is the order of the Central Administrative Tribunal, Madras Bench, dated 07.06.2023 passed in O.A.No.409 of 2017.

2.The respondent filed an Original Application in O.A.No.409 of 2017 claiming family pension under the Railways Services (Pension) Rules, 1993. The respondent herein is the step-son of Late G.Kalaiselvi, who served in Railways and died on 24.09.2008.

3.The learned Standing Counsel appearing on behalf of the Railways would submit that Gratuity due to the deceased employee had already been settled in favour of the respondent under Rule 70 of the Railway Services (Pension) Rules, 1993. However, the respondent is not

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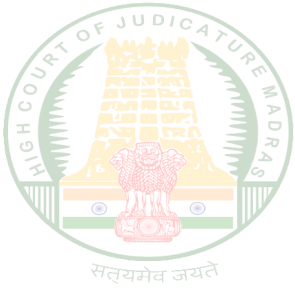
eligible for family pension in view of the definition of “family” as stated under Rule 75 of the Railway Services (Pension) Rules, 1993. Though the Central Administrative Tribunal considered the Rules, it granted family pension by relying upon Rule 70, which is inapplicable to the grant of family pension.

4. Rule 75 of the Railway Services (Pension) Rules, 1993 speaks about the Family Pension Scheme for Railway Servants, 1964. “Family” has been defined under Sub-Rule 19(b) of Rule 75, which is extracted hereunder:

“b.”family”, in relation to railway servant means-

- i. wife in the case of a male railway servant or husband in the case of a female railway servant;*
- ii. a judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;*
- iii. son who has not attained the age of twenty-five years and unmarried daughter who has not attained the age of twenty five years, including such son and daughter born after retirement or adopted legally before retirement but shall not include a son or daughter adopted after retirement;*

Deleted vide Railway Notification issued under



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*Railway Board's letter No.F(E)III/94/Pn1/31
(Amendment) dated 3.2.1995."*

5.Under the Railway Services (Pension) Rules, 1993, a Government servant may nominate any person for receiving gratuity. As far as family pension is concerned, it is to be granted strictly in accordance with the definition of "family" as contemplated under the Pension Rules. Step-son is not eligible to receive family pension under the Rules, in view of the definition, as stated above, and thus, the Order dated 07.06.2023 passed by the Central Administrative Tribunal, Madras Bench in O.A.No.409 of 2017 is set aside. Accordingly, the writ petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[N.S., J.]

03.07.2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
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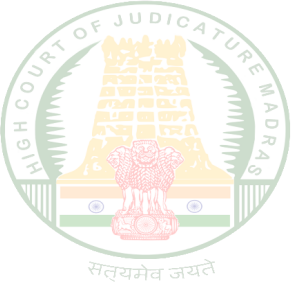


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To

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The Registrar
The Central Administrative Tribunal
Chennai Bench
Chennai – 600 104.



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S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.

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