



*CMP No.8860 of 2026
in WA No.290 of 2026*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

**CMP No. 8860 of 2026
in WA No. 290 of 2026**

The Government Of Tamil Nadu
Represented by its Secretary, Public
(Political Pension-I) Department,
Secretariat, Chennai-600 009.

Appellant(s)

Vs

Thillai Lokanathan
D/o. Shanmuga Thevar, 12/14 Mylapooran
Street, Royapettah, Chennai 14

Respondent(s)

Petition filed under Section 151 CPC to modify the order dated
19.02.2026 made in CMP No.2626 of 2026 in WA No.290 of 2026.

For Appellant(s): Mr. R.Veeramani
Government Pleader

For Respondent(s): Mr. A.P.Surya Prakasam

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This application is filed to modify the interim order dated
19.02.2026, which directs payment of 50% of the amount due and



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payable towards payment of freedom fighter pension under the Central Samman Pension 2014.

2. Learned counsel for the applicant/State submitted that the issue raised in this writ appeal is whether the divorced daughter of the freedom fighter would be eligible to draw pension under the scheme. He further submits that identical issue is pending before the Hon'ble Supreme Court, wherein the constitutionality of Clause 5.2.5 of the Guidelines for disbursement of Central Samman pension 2014 is under challenge. He submits that unless and until the issue is decided by the Hon'ble Supreme Court, the payment towards pension could not be made. In case, the Supreme Court decides the issue in favour of the divorced daughter, she would be entitled for pension.

3. Learned counsel for the respondent has vehemently opposed the contention raised by the applicant/appellant. However, he submitted that he would undertake not to precipitate contempt proceedings towards non-payment of the amount and submits that the interim order granted on 19.02.2026 extending 50% payment may be allowed to continue and there is no need for modification and hence, this application deserves to be dismissed.



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WEB COPY 4. Heard learned counsel for the parties.

5. In view of the fact that the Hon'ble Supreme Court is already seized of the issue whereby the same guidelines are under challenge, unless and until the rights of the divorced daughter are decided, no pension could be paid to the respondent, particularly when it would amount to grant of final relief even before deciding the issue.

6. In view of the aforesaid, we are inclined to modify the order dated 19.02.2026 to the extent of granting complete stay of the impugned order dated 09.12.2024 passed in W.P.No.10344 of 2023, till the final disposal of the writ appeal.

This application is, accordingly, ordered.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)
12.06.2026

sra



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The Hon'ble Chief Justice
and
G.Arul Murugan, J.

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