

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27909 of 2015
and M.P.No.1 of 2015

Rajamani

... Petitioner

Vs.

1. The Secretary to the Government,
Transport Department, Secretariat, Chennai
2. The Managing Director,
Metropolitan Transport Corporation,
Pallavan Illam, Annasalai,
Chennai - 600 002
3. The Branch Manager,
Metropolitan Transport Corporation,
Poonamallee, Chennai
4. Rajalakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second and third respondents to disburse the benefits of one Sundaraj, Batch No.D15349 to the petitioner.

For Petitioner : Ms. C.Sangamithirai

For Respondents : Mr. R.Vijayakumar, AGP., for R-1
Mr. P.Kannan Kumar, for R-2 and R-3

सत्यमेव जयते

O R D E R

Admit. Mr.R.Vijayakumar, learned Additional Government Pleader, takes notice for the first respondent and Mr.P.Kannan Kumar, learned Standing Counsel, takes notice for the second and third respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner claims to be the wife of Late.Sundaraj, who was employed as driver in the services of the Metropolitan Transport Corporation, Chennai, and he died on 21.07.2014. It is stated by the petitioner that, after the death of her husband, she has submitted a representation dated 09.08.2014, to the second respondent, praying for disbursement of the terminal benefits. On behalf of respondents 2 and 3, a reply was given to the petitioner stating that, as per the

service records, Tmt.Rajalakshmi / the fourth respondent herein, was given as a nominee-cum-wife and she has also produced the Death Certificate as well as the Legal Heir Certificate, and therefore, called upon the petitioner and her daughter to produce valid documents and certificates to show that they are the wife and daughter of Late.Sundaraj. The petitioner's daughter-Ms.Sundari, in response to the said communication, has sent a reply, through her lawyer, on 14.07.2015, enclosing the copy of her birth certificate, evidencing that she is the daughter of Sundaraj. The grievance expressed by the petitioner is that, inspite of the reply, by way of legal notice, she has not been favoured with any response, hence, the petitioner has come forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner as well as Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the first respondent and Mr.P.Kannan Kumar, learned Standing counsel, who accepts notice on behalf of the second and third respondents.

4. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs respondents 2 and 3 to respond to the legal notice, dated 14.07.2015, sent on behalf of the petitioner, in accordance with law, and pass orders, within a period of four weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner.

5. This writ petition is disposed of accordingly. No costs. Consequently, the connected MP is closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

srk

To

1. The Secretary to the Government, Transport Department, Secretariat, Chennai
2. The Managing Director, Metropolitan Transport Corporation, Pallavan Illam, Annasalai, Chennai - 600 002
3. The Branch Manager, Metropolitan Transport Corporation, Poonamallee, Chennai

+1 cc to Mr.P.KannanKumar, Advocate, sr.48843

W.P.No.27909 of 2015
& M.P.No.1 of 2015

nm co, kra 30/09