

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.38968 of 2015

P.Vijayalakshmi

... Petitioner

Vs.

The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
Salem Division
Ramakrishna Road,
Salem-7.

2.The Administrative Officer,
Tamil Nadu State Corporation Employees
Pension Trust, Pallavan House,
Chennai-2.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents 1 and 2 to disburse family pension with arrears together with interest of 24%p.a. to the petitioner.

For Petitioner : Mr.M.Ravibharathi.

For Respondents : Mr.P.Kannan Kumar.

O R D E R

This writ petition has been filed for issuance of writ of mandamus directing the respondents to disburse the family pension with arrears together with interest of 24% per annum to the petitioner.

2.According to the petitioner, her husband late G.K.Periyasamy was working as Driver in the first respondent Corporation with effect from 04.07.1987 and retired from service on 30.09.2012 as Selection Grade Driver on attaining the age of superannuation.

3.The petitioner would state that she has filed a case in MC.No.9 of 2011 against her husband before the Chief Judicial Magistrate, Namakkal seeking maintenance. The learned judge

passed final orders directing her husband to pay a sum of Rs.2,000/-p.m. Whiles, the petitioner's husband died on 27.10.2014.

4.The petitioner would further state that she is entitled to get family pension and therefore she made representation to the first respondent on 28.01.2015, since it was not considered, the petitioner filed the present writ petition.

5.Heard the submissions of Mr.M.Ravibharathi, learned counsel appearing for the petitioner and M/s.P.Kannan Kumar, who accepts notice on behalf of the respondents.

6.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 case, directs the first respondent to consider petitioner's representations dated 28.01.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Managing Director
Tamil Nadu State Transport Corporation (Salem) Limited
Salem Division
Ramakrishna Road,
Salem-7.

2.The Administrative Officer,
Tamil Nadu State Corporation Employees
Pension Trust, Pallavan House,
Chennai-2.

+2 ccs to Mr.P.Kannankumar Advocate sr.67519

+1 cc to Mr.M.Ravibharathi Advocate sr.67089

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