

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.8029 of 2015

A.Punniya Kotteeswari

... Petitioner

vs.

1.The State of Tamil Nadu
rep. by its Secretary,
Transport Department,
Secretariat, Chennai-9.

2.Tamil Nadu State Transport Corporation
(VPM) Limited,
(Old Name PT M.G.R. Transport Corporation
Limited), rep by its Managing Director
Kancheepuram Division,
Kancheepuram-3.

3.The Commissioner,
Employees Provident Fund,
Regional Office,
No.20, Royapettah High Road,
Chennai-14.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st respondent to sanction pension and pay as lifetime arrears of pension to the petitioner w.e.f. 01.01.1988 to 20.04.2011, the date of death of the petitioner's husband as per G.O.Ms.No.42 Transport (RW) Department dated 27.05.2005 construing that the petitioner's husband has rendered a qualifying years of service of 14 years i.e. from 11.01.1968 to 01.04.1982 and to pay the same to the petitioner as lifetime arrears of pensionary benefits and to grant family pension to the petitioner from 20.04.2011, the date of death of the petitioner's husband, by following the judgment in W.A.No.1246 of 2009 dated 18.08.2010, W.P.No.33975 of 2005 and W.P.No.35674 of 2005 dated 20.09.2011.

For Petitioner : Mr.V.S.Jagadeesan
For Respondents : Mr.R.Venkatesh,
Government Advocate
for R.1
Mr.P.Kannan Kumar
for R.2

ORDER

Learned counsel appearing for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to challenge the order, if any passed against the petitioner regarding family pension and he has also made an endorsement to that effect in the WP.

2. In view of the same, the present writ petition is dismissed as withdrawn with liberty to challenge the order, if any, passed against the petitioner in respect of family pension. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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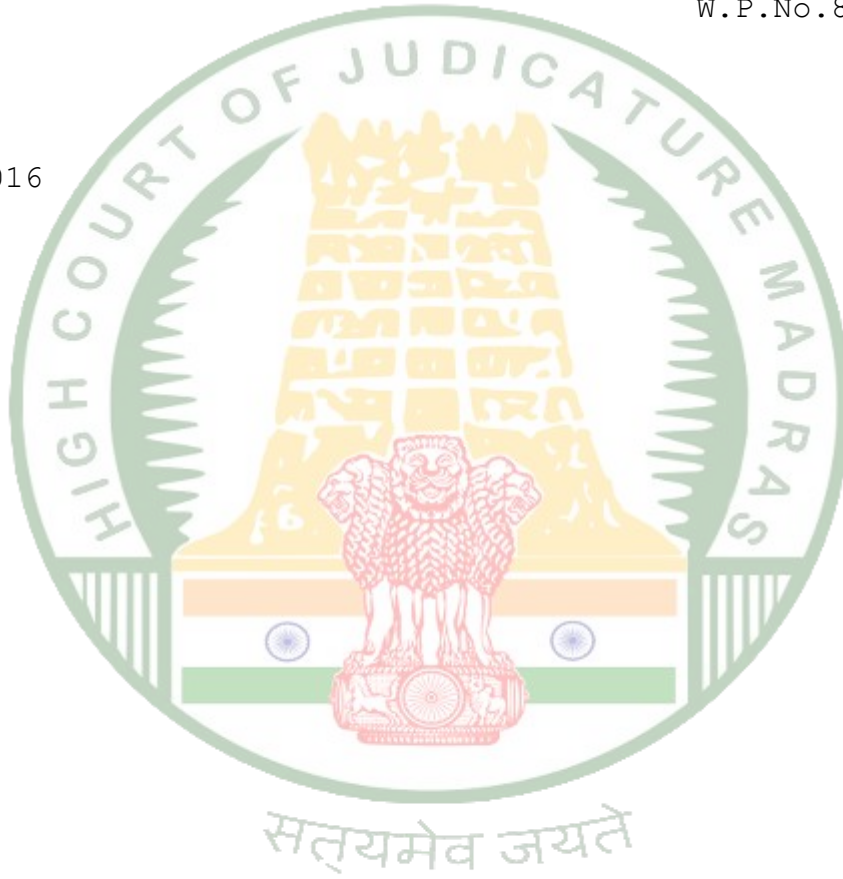
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+1 cc to M/s.V.S.Jagadeesan Advocate sr 54136

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