

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.41630 of 2016

N.Vijayapraba

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007.

2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Administrative Office,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of mandamus directing the respondents to pay the death benefits such as Provident Fund, Gratuity, Commutation, I.R.T. Share, Labour Welfare Fund, benefit for Voluntary Retirement, benefits of Earned and Unearned Leave, Old Medical Leave benefit and other benefits payable to the petitioner with interest on account of the death of her husband Mr.S.Manoharan (CR 0761) who worked as Selection Grade Senior Conductor under the respondent Management.

For Petitioner : M/s.A.Nagarathinam

For Respondents : Mr.R.K.Gandhi

ORDER

By consent, the main Writ Petition itself is taken up for final disposal.

2. The petitioner's husband joined the services of the respondent Transport Corporation as a Conductor on 01.09.1980 and he died on 30.10.2015 intestate. The grievance of the petitioner is that after the death of her husband, the

respondent Management disbursed a sum of Rs.1,50,000/- for his funeral and other expenses. Though she has been paid a sum of Rs.6,965/- as family pension, the retirements benefits of her husband have not been disbursed. In this regard, the petitioner submitted representations before the respondents, on various dates. However, till date, there is no response. Aggrieved by the same, the present Writ Petition is filed.

3. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondents.

4. The issue involved in the present Writ Petition is squarely covered by the judgment of a Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

5. In the light of the said Division Bench judgment of this Court, without going into the merits of the case, the respondents are directed to disburse the aforementioned retiral benefits to the petitioner, in 12 equal monthly instalments. It is also made clear that the first instalment payable to the petitioner shall commence from 01.02.2017.

With the above direction, this Writ Petition is disposed of. No costs.

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Assistant Registrar

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Sub Assistant Registrar

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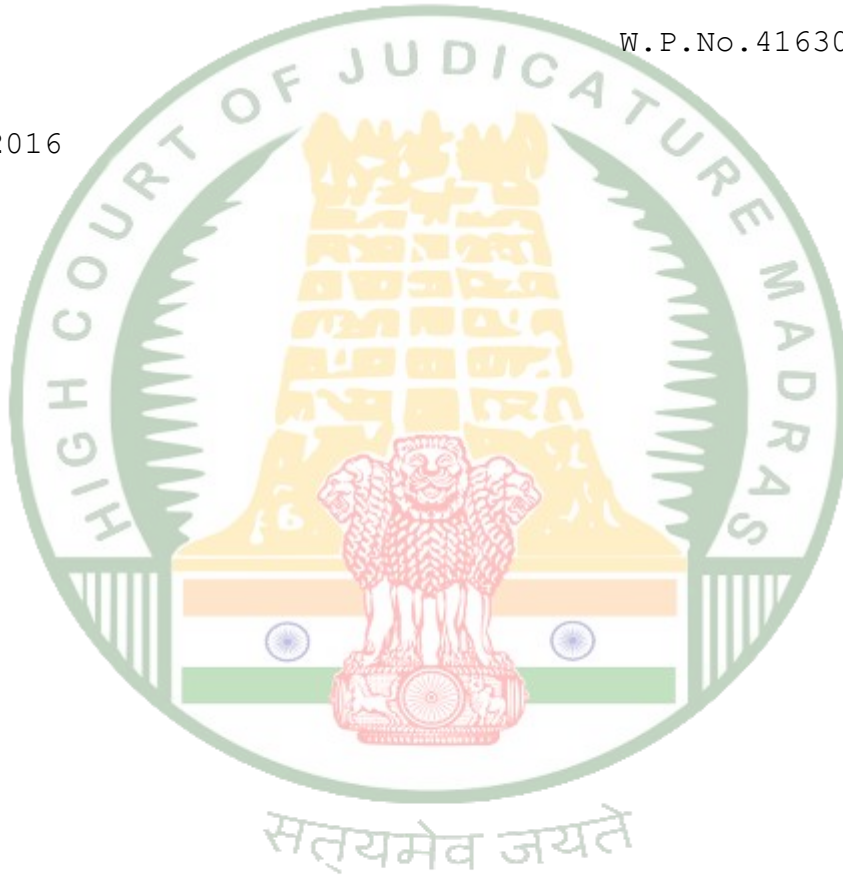
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C.C. to MR.A.NAGARATHINAM Advocate SR.NO.70343

W.P.No.41630 of 2016

KS (CO)
VS 30.12.2016



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