

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 19.12.2016  
CORAM:  
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN  
W.P.No.43506/2016

M.Sivakami

..

Petitioner

Vs.

- 1.The Managing Director  
Tamil Nadu State Transport Corporation  
Ltd., Ramakrishna Road, Salem 636-7.
- 2.The Branch Manager  
Tamil Nadu State Transport Corporation  
Ltd., Namakkal-1.
- 3.The Assistant Provident Fund Commissioner  
Employees' Provident Fund Organisation,  
SJ Shopping Plaza, Anna Salai,  
Swarnapuri, Salem 636004.

..

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to continue the payment of Family Pension from the month of June 2007 to the petitioner in view of the death of her husband by name R.Muthusamy in harness on 09.01.1999 by considering her representation dated 27.10.2016.

For Petitioner: Mr.N.Manokaran  
For Respondents: Mr.P.Paramasivados

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Paramasivados, learned counsel accepts notice on behalf of the respondents.

2 The petitioner would state that her husband R.Muthusamy, was working as a Driver in the services of the 2<sup>nd</sup> respondent / Corporation vide Driver No.166-TH/SLM/5615/. The husband of the petitioner was transferred to Namakkal Mofussil Division and he died in harness on 09.01.1999, leaving behind the petitioner and two unmarried daughters. At the time of his demise, the daughters of the petitioner were studying in the School and subsequently, the petitioner was provided with pension under the Employees' Pension Scheme, 1995, and was paid

with a sum of Rs.1,501/- per month from January 1999, besides a sum of Rs.375/- per month to each of her two daughters. According to the petitioner, the said pension amount was only source of her livelihood / sustenance till it was stopped from May 2007. The petitioner, in this regard, has also made an attempt to find out as to the reason for stoppage of the said pension from May 2007 and she was not provided with any kind of response. The petitioner has also submitted a representation dated 27.10.2016 to the respondents and despite the receipt and acknowledgment, it has not been given disposal and hence, she came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.P.Paramasivados, learned counsel appearing for the respondents.

4 Though the petitioner has 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 the respondents 1 and 2 to provide an opportunity of personal hearing, either to the petitioner or to her authorised representative and consider and dispose of her representation dated 27.10.2016 on merits and in accordance with law and pass orders 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 herein.

5 The writ petition stands disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

1.The Managing Director  
Tamil Nadu State Transport Corporation  
Ltd., Ramakrishna Road, Salem 636-7.

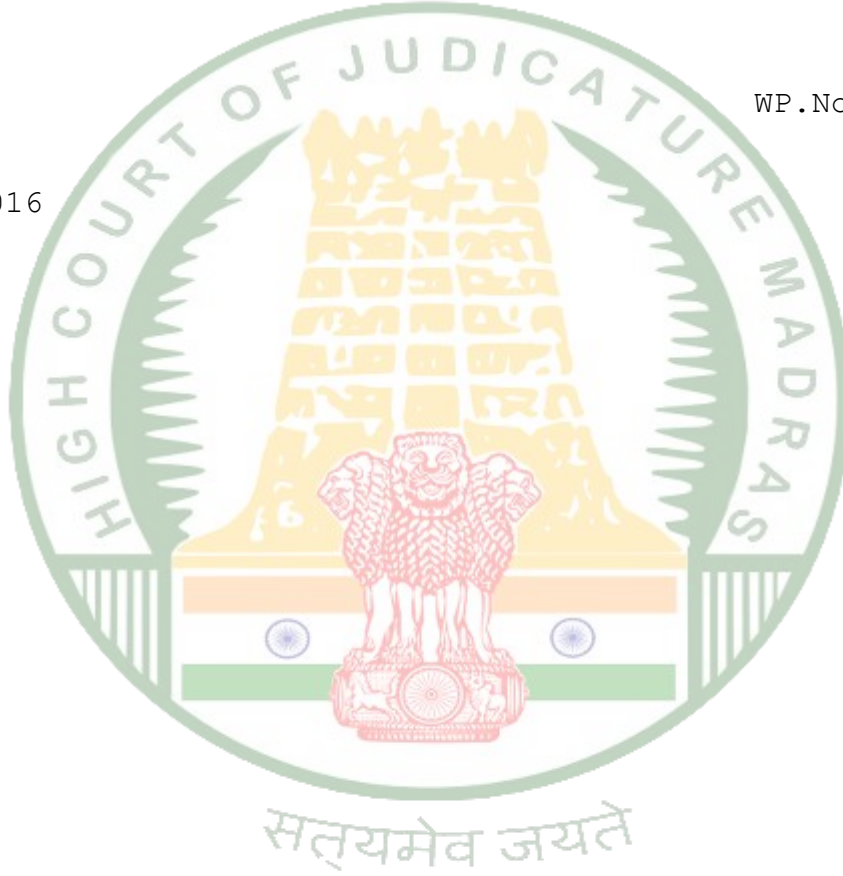
2.The Branch Manager  
Tamil Nadu State Transport Corporation  
Ltd., Namakkal-1.

3.The Assistant Provident Fund Commissioner  
Employees' Provident Fund Organisation,  
SJ Shopping Plaza, Anna Salai,  
Swarnapuri, Salem 636004.

+1 cc to Mr.N.Manokaran Advocate sr 74138

aa22/12/2016

WP.No.43506/2016



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