



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :11.07.2016
CORAM
THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P (MD) No.12092 of 2016

T.Rathinam

.. Petitioner

vs.

- 1.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. By its Managing Director,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Pudukkottai Region, Pudukkottai.
- 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvallvar Illam, Pallavan Salai,
Chennai - 2.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the terminal benefits of the petitioner's husband late.P.Thangaiyan, to her including gratuity, commuted value of pension together with interest at the rate of 18% per annum payable from the date of retirement of her husband from the service of the first respondent Corporation to till the date on which the above benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

ORDER

The petitioner Tmt.T.Rathinam, W/o. Late.P.Thangaiyan, has given a representation to the respondents on 10.06.2016, seeking settlement of her husband's retirement benefits, stating that her husband was working as a Checking Inspector in the first respondent Corporation and he died on 06.04.2015 without receiving his retirement benefits. But the said representation has not been considered and as a result, she has come to this Court.

2. Mr.D.Sivaraman, learned Standing Counsel takes notice for the respondents.



3. The learned counsel for the petitioner drawing the notice of this Court the Death Certificate, dated 09.04.2015, issued by the Competent Authority and also the Legal Heirship Certificate, dated 18.06.2015, issued by the Tahsildar, Srirangam, submitted that since the petitioner has submitted the Death Certificate of her husband and also the Legal Heirship Certificate, the respondents cannot find any impediment to disburse the retirement benefits of her husband.

4. The learned standing counsel sought four weeks time to consider the pending representation of the petitioner.

5. While considering the representation of the petitioner in the light of the Death Certificate and Legal Heirship Certificate, the second and third respondents, are directed to bear in mind the order passed by this Court in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015, and consider the representation of the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is also directed to give one more representation to the respondents 2 and 3 along with Death Certificate and Legal Heirship Certificate, within one week from the date of receipt of a copy of this order.

With the above direction the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director, Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., Kumbakonam.

2. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Pudukkottai Region, Pudukkottai.

3. The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvallvar Illam, Pallavan Salai, Chennai - 2.

+1 cc to M/s.A.Rahul, Advocate in SR.No.35604/16

+1 cc to M/s.D.Sivaraman, Advocate in SR.No.36033/16

pm

CSL/AAL-MPA/20.07.2016 : 2p/6c

W.P. (MD) No.12092 of 2016

11.07.2016