



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

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CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) Nos.22764 & 22765 of 2016

S.Dhanalakshmi

.... Petitioners in both WPs.

Vs.

1.The Tamil Nadu State Transport Corporation

(Madurai) Ltd.,

Rep by its Managing Director,

Bye Pass Road,

Madurai.

2.The General Manager,

The Tamil Nadu State Transport Corporation

(Madurai) Ltd., Madurai Region,

Madurai District.

3.The Administrator,

The Tamil Nadu State Transport Corporation

Pension Fund Trust,

Thiruvalluvar Illam, Pallavan Salai,

Chennai 2.

... Respondents in both WPs.

WP(MD)No.22764 of 2016 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to settle terminal benefits of the petitioners husband Late.P.Prabukannan to the petitioner including family benefit fund gratuity, earned Leave salary, social security scheme amount, Refund of Provident Fund Contribution and Refund of Contribution made towards Medical, Engineering Polytechnic Colleges and Institute of Road Transport together with interest at the rate of 18% per annum payable from the date of retirement of the petitioner's husband from the service of the first respondent corporation to till the date on which the benefits are settled.

WP(MD)No.22765 of 2016 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to appoint the petitioner in any suitable post in the 1st respondent corporation on compassionate grounds depending upon her educational qualification.



For Petitioner

:Mr.A.Rahul
(both WPs.)

For Respondents 1&2 : Mr.A.Jeyaram

For 3rd Respondent: Mr.A.P.Muthupandian
(both WPs.)

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COMMON ORDER

WP(MD)No.22764 of 2016 has been filed seeking a direction to the respondents to settle terminal benefits of the petitioner's husband Late.P.Prabukannan including family benefit fund, gratuity, earned Leave salary, social security scheme amount, refund of provident fund contribution and refund of contribution made towards Medical, Engineering, Polytechnic Colleges and Institute of Road Transport together with interest at the rate of 18% per annum payable from the date of retirement of the petitioner's husband to till the date on which the benefits are settled.

WP(MD)No.22765 of 2016 has been filed seeking a direction to the respondents to appoint the petitioner in any suitable post in the first respondent corporation on compassionate ground, depending upon her educational qualification.

3.The petitioner's husband was serving as Driver in the office of the first respondent with effect from 18.09.2008. Subsequently, he was promoted as Senior Grade Driver. He passed away on 23.03.2016, leaving behind the petitioner and his two minor sons as his legal heirs.

4.It is the claim of the petitioner that neither appointment on compassionate ground has been provided to her nor death benefits payable to her on account of the death of her husband has been paid.

5.The petitioner has completed M.A., degree and she has also passed Diploma in teacher training. So stating, a representation dated 03.10.2016 has been submitted to the respondents. As there is no response, these writ petitions have been filed.

6.Considering the above stated circumstances, the respondents are directed to consider the representation of the petitioner dated 03.10.2016 and to pass appropriate orders with regard to the claim of the petitioner for appointment on compassionate ground and to sanction eligible death benefits payable to the family of the petitioner within a period of eight weeks from the date of receipt of a copy of this order.



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7. The writ petitions are disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CSI)

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/True Copy/

Sub Assistant Registrar

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+2cc to Mr.A.Rahul Advocate Sr.Nos/75084 & 75085

JAM/02.02.17/RR-BS/ 3p-3c

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