



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.10.2017
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P (MD) No.19406 of 2017

Mariyammal @ Then Mozhi

... Petitioner

Vs.

1. The Secretary,
Government of Tamil Nadu,
Tamil Nadu Government Transport
Corporation,
Secretariat building,
Chennai -9.
2. The Commissioner,
Tamil Nadu Government Transport
Corporation,
Ezhilagam buildings,
Chepauk, Chennai.
3. The Managing Director,
Tamil Nadu Government Corporation,
Bye pass road, Madurai Region,
Madurai.
4. The Branch Manager,
K.Pudur Branch,
Tamil Nadu Government Transport
Corporation,
Madurai Region, Madurai.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first and second respondents to consider petitioner's representation dated 05.10.2016 pertaining to sanction of the pension applicable to the deceased Karuppasamy (DRO 6082) in her name.

For Petitioner
For Respondent

: Mr.N.S.Ponnaiah
: Mr.A.K.Baskarapandian for R1
Addl. Government Pleader
Mr.A.Jeyaram for R2 to R4

O R D E R

The writ petitioner is a widow. Her husband Karuppasamy was employed as Driver in the third respondent corporation. He died on 31.12.2008. When the writ petitioner applied for disbursement of terminal benefits, there was a rival claim. The writ petitioner therefore filed SOP.No.17/2009 on the file of Principal District Munsif, Madurai Town. The rival claimant was also made a party. The said SOP was allowed in favour of the writ petitioner on 06.12.2014. The rival claimant is also said to have died on 31.01.2015. But, the respondents 1 and 2 have not taken steps to sanction pension amount and other benefits payable.

2.Heard the learned counsel for the respondents also.

3.Since the writ petitioner has already obtained succession certificate in her favour and as on date there is no rival claim, there is no justification in delaying the matter. The writ petitioner has also submitted a representation dated 05.10.2016 in this regard. There is no justification in delaying the matter further.

4.This Court directs the respondents to sanction the pension payable to the deceased Karuppasamy (DRO 6082) and disburse the benefits to the writ petitioner without further delay. The benefits payable to the writ petitioner shall be paid in five monthly equal instalments with the first instalment commencing on 01.12.2017. This writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Tamil Nadu Government Transport
Corporation,
Secretariat building,
Chennai -9.

2. The Commissioner,
Tamil Nadu Government Transport
Corporation,
Ezhilagam buildings,
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3. The Managing Director,
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Madurai.

4. The Branch Manager,
K.Pudur Branch,
Tamil Nadu Government Transport
Corporation,
Madurai Region, Madurai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.83136

+ 1 CC TO MR.N.S.Ponnaiah, ADVOCATE IN SR No.83066

MK/RSK/SAR-3/30.10.2017/3P/7C

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