

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.40581 of 2017

ORDER:

Heard the learned Counsel for the petitioners and the learned Standing Counsel for the respondents.

The petitioners' father, who was an employee of Telangana State Road Transport Corporation, while working as Shramik died on 17.06.2017 leaving behind the petitioners. Petitioners 1 and 2 are his sons, whereas petitioner No.3 is his daughter. It appears that the deceased employee indicated the name of the wife in the nomination form, but she also unfortunately expired prior to the death of the employee on 05.01.2012. The petitioners' father did not incorporate any changes and consequent to the death of the petitioners' father, the amount is due and payable to the family members. The Department released an amount of Rs.48,032/- under staff retirement benefit scheme, Rs.3,35,925/- from provident fund and Rs.5,83,988/- under employees deposit linked insurance fund. Some other service benefits are also payable to the petitioners. The petitioners are being insisted to submit Succession Certificate and a letter was issued on 23.09.2017 accordingly. Challenging the same, the present Writ Petition is filed.

There is no dispute with regard to the death of the petitioners' father and their mother. The Family Members Certificate certified by the Tahsildar, Saroornagar, clearly shows

the names of the petitioners who are the children of the deceased.

In the circumstances, this Court feels that there is no need to put the petitioners under trouble by asking them to obtain the Succession Certificate when the names of the petitioners are found in the Family Members Certificate.

Accordingly, the Writ Petition is allowed setting aside the impugned letter dated 23.09.2017 and the respondents are directed to pay the balance terminal benefits to the petitioners in equal shares within a period of three weeks from the date of receipt of a copy of this order. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

11.12.2017
vs

(A.RAMALINGESWARA RAO, J)