

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.22704 of 2018

S.Renuka

...Petitioner

..vs..

1. The Managing Director,
Metropolitan Transport Corporation,
No.7, Pallavan House, Pallavan Salai,
Chennai-02.

2. The Administrator,
TNSTC Employers Pension Fund Trust Department,
No.2, State Express Transport,
Thiruvalluvar House, Pallavan Salai,
Chennai-02.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the representation of the petitioner dated 30.07.2018 and pay arrears of pension amount and continue payment of family pension to the petitioner.

For Petitioner : Mr.K.Thiruvenkadam

For Respondents : Mr.R.K.Gandhi (R1)
Standing Counsel

ORDER

Mr.R.K.Gandhi, learned counsel accepts notice on behalf of the first respondent.

2. The petitioner has come forward with the Writ Petition seeking for a direction to the respondents to consider the representation of the petitioner dated 30.07.2018 and pay arrears of pension amount and continue payment of family pension to the petitioner.

3.The petitioner, who is a widow of the retired employee of the first respondent Corporation said to be getting the family pension, on the death of her husband. However, such family pension has been stopped by the respondents from the month of April 2018, without assigning any reasons. Hence, she has made a representation on 30.07.2018 to the first respondent, seeking to release the family pension immediately. But, no decision on the same has been made till date. Hence, the petitioner has filed this Writ Petition seeking for the aforesaid relief.

4. The learned counsel appearing for the petitioner submits that the since the first respondent is guilty of inaction, the writ petition be disposed of directing the first respondent to take an informed and considered decision on the representation of the petitioner.

5. The learned Standing counsel appearing for the first respondent would submit that if such a representation is pending, the first respondent shall take a decision on the same, in accordance with law within a stipulated period but this Court should not put any fetter on the merits of the representation that is required to be addressed in accordance with law.

6. In view of the aforesaid submissions made and as no relief has been sought for against the second respondent, this Court disposes of the Writ Petition at the stage of admission, with a direction to the first respondent to dispose of such representation of the petitioner if the same is pending, in its own merit and in accordance with law, if there is no legal impediment, within a period of eight weeks from the date of receipt of a copy of this order. However, it is made clear that this Court has not expressed any opinion on the merits of such representation in any manner.

7. With the aforesaid direction, this Writ Petition is disposed of. No costs. सत्यमेव जयते

Sd/-

Assistant Registrar (CS-VI)

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Sub Assistant Registrar

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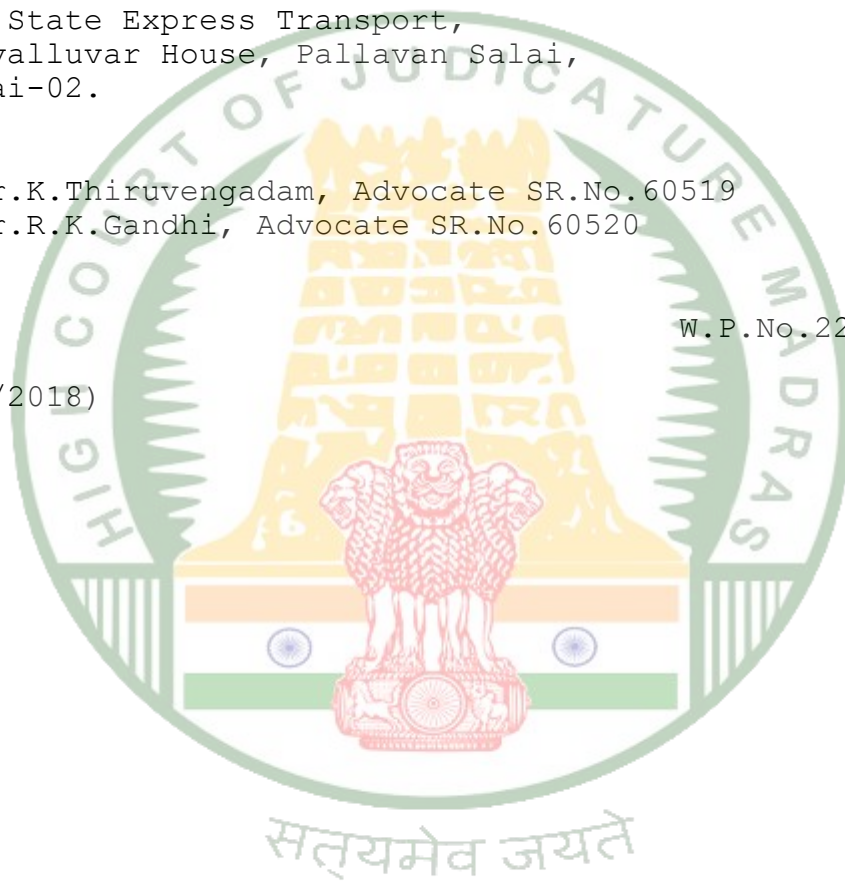
To

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Chennai-02.
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Chennai-02.

+1cc to Mr.K.Thiruvengadam, Advocate SR.No.60519
+1cc to Mr.R.K.Gandhi, Advocate SR.No.60520

W.P.No.22704 of 2018

CP (CO)
RMP (26/09/2018)



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