

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.09.2018

Coram

The Hon'ble Mr.Justice Satrughana Pujahari

W.P.No.24956 of 2018

K.Santhana

...Petitioner

Vs

1. The Managing Director  
Metropolitan Transport Corporation (MTC)  
Pallavan Illam, Anna Salai,  
Chennai - 600 002.
2. The Branch Manager,  
Metropolitan Transport Corporation (MTC)  
Poonamallee Branch, Chennai - 600 056.
3. S.Nirmala No.17, Agasthees Nagar 5th Street,  
Pozhichalur Chennai - 600 074.

...Respondents.

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to delete the name of the third respondent in the family pension and other office records and instead the name of the second wife namely Nagalakshmi as the nominee of the petitioner in the family pension and the office records etc.

For Petitioner :Mr.R.Lokeshwaran

For Respondents 1 and 2 :Mr.P.Kannan Kumar  
Standing Counsel

O R D E R

The grievance of the petitioner, in this Writ Petition is non consideration of his representation made on 03.09.2018, to delete the name of the third respondent, as his wife entitled for family pension and substitute the name of the second respondent, who is his second wife to entitle her to receive the family pension. Since no action has been taken pursuant to such representation, he has come to file this Writ Petition seeking a direction to the first respondent to carryout the aforesaid exercise.

2. However, during the course of hearing on admission, it is submitted by the learned counsel appearing for the petitioner that the petitioner has filed a representation dated 03.09.2018, the first respondent be directed to consider and dispose of such representation within a stipulated time.

3. I have heard the learned counsel appearing for the petitioner so also the learned Standing Counsel, who accepts notice on behalf of the respondents 1 and 2. Considering the nature of relief sought for by the petitioner, this Court is inclined to dispose of this Writ Petition without notice to the third respondent so also seeking reply affidavit from all the respondents, inasmuch, issuing such direction as now sought for by the learned counsel for the petitioner is in no manner going to cause prejudice to the third respondent, inasmuch as, decision in this regard is directed to be taken putting notice to the third respondent and addressing her grievance.

4. Accordingly, this Writ Petition stands disposed of at the stage of admission with a direction to the first respondent to take an informed and considered decision on the representation of the petitioner by putting notice to the third respondent and also addressing her claim/grievance, if any as well as the law in this regard by a speaking order. It is made clear that this Court has expressed no opinion on the merit of such representation of the petitioner in any particular manner, except, directing the first respondent to take a decision which is going to be by hearing the third respondent and addressing her grievance, if any, against such representation. No costs.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,  
Metropolitan Transport Corporation (MTC)  
Pallavan Illam, Anna Salai,  
Chennai - 600 002.

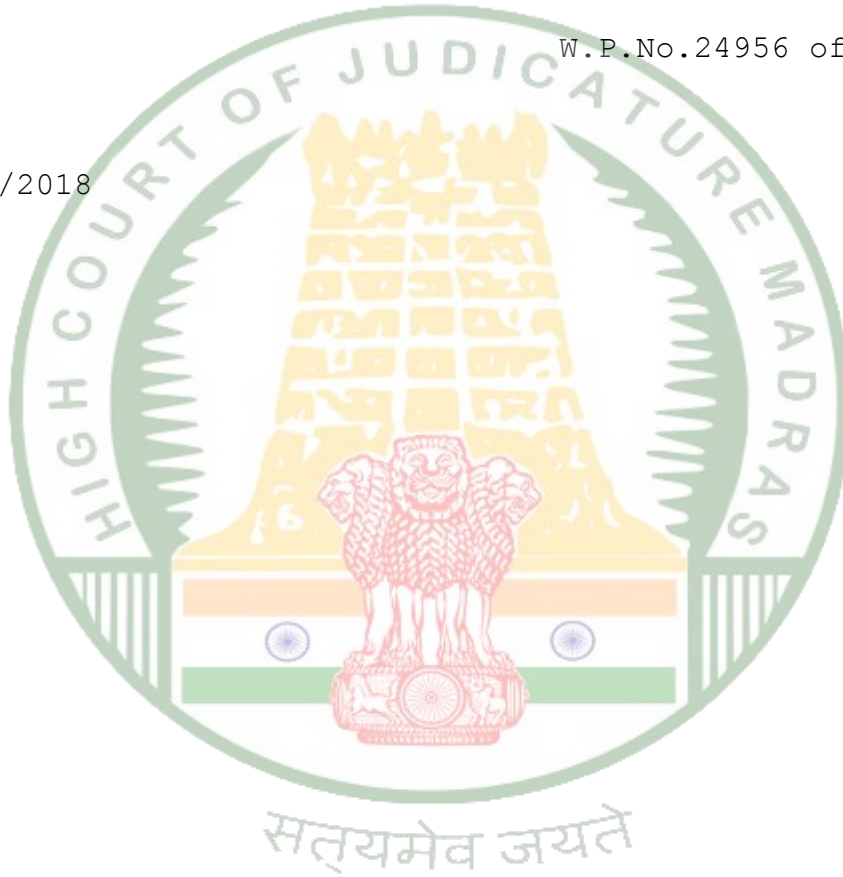
2. The Branch Manager,  
Metropolitan Transport Corporation (MTC)  
Poonamallee Branch, Chennai - 600 056.

+lcc to Mr.R.Lokeshwaran, Advocate Sr.65750

+lcc to Mr.P.Kannankumar, Advocate Sr.66789

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srg 12/10/2018



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