

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.09.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 25555 of 2018

P. Kaliamal

...Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Chairman,
All State Transport Corporation Undertaking,
4th Floor, Transport Dept; Fort St. George,
Chennai - 600 009.
2. The Managing Director, State Express
Transport Corporation (Tamil Nadu) Limited,
Pallavan Salai, Chennai - 600 002.
3. The Administrator, Tamil Nadu State Transport
Corporation (TNSTC) Employees Pension Fund
Trust, O/o. SETC HO, Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents herein to pay the death benefits of the petitioner's husband namely Panchalingam being the Provident Fund, Gratuity, Earned Leave Surrender, Commutation, Pension, Social Welfare Fund, IRT Share, Family Welfare Fund, Pension contribution etc. with interest at 18% per annum from the date of death of the petitioner's husband viz. 28.02.2018 till date of the payment.

For Petitioner : Mr. S.Balaji

For Respondents : Mr. D.Suriyanarayan (For R.1)
Additional Government Pleader
Mrs.S.Rajeni Ramadass
Standing Counsel (R.2 & 3)

ORDER

Heard, Mr. S.Balaji the learned counsel appearing for the petitioner and Mr.D.Suriyanarayan, learned Additional Government Pleader, who accepts notice on behalf of the

respondent-1 and Mrs. Rajeni Ramadass, learned Standing Counsel, who accepts notice on behalf of the respondents 2 and 3. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal at the stage of admission.

2. The petitioner's husband was an Employee of the respondent Corporation. He died in harness while under the employment of the respondent Corporation. The petitioner, thereafter, has made a representation to the respondents on 24.07.2017 to release the terminal benefits of her husband in her favour. But the same is yet to be attended to. Hence, she has come to file this Writ Petition seeking a mandamus directing the respondents to release the terminal benefits of her husband in her favour.

3. However, during the course of hearing, it is submitted by the learned counsel appearing for the petitioner that no doubt the petitioner has sought for the aforesaid larger relief, now, he confines his prayer seeking a direction to the respondents to dispose of the representation made in this regard in a time bound manner.

4. The learned counsels appearing on behalf of the first respondent and respondents 2 and 3 submits that the respondents shall have no objection to take a decision on the representation made within a reasonable period, if the same is pending, but, in accordance with law.

5. Considering the aforesaid facts and submissions made by the counsel for the parties, especially, the nature of relief now sought for, this Court, therefore, dispose of this Writ Petition at the stage of admission, without seeking reply affidavit from the respondents with a direction to the respondents to deal with the representation to take an informed and considered decision as required to be made by them under law, as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of copy of this order, if there is no other legal impediment for such disposal. However, it is made clear that this should not be treated as mandate of this Court to dispose of of the representation, in any particular manner. No costs.
mrm/sd

Sd/-

Assistant Registrar (CS-CCC)

//True Copy//

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
rep by its Chairman, All State
Transport Corporation Undertaking,
4th Floor, Transport Dept; Fort St. George,
Chennai - 600 009.

2. The Managing Director, State Express
Transport Corporation(Tamil Nadu) Limited,
Pallavan Salai, Chennai - 600 002.

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Corporation (TNSTCO Employees Pension Fund
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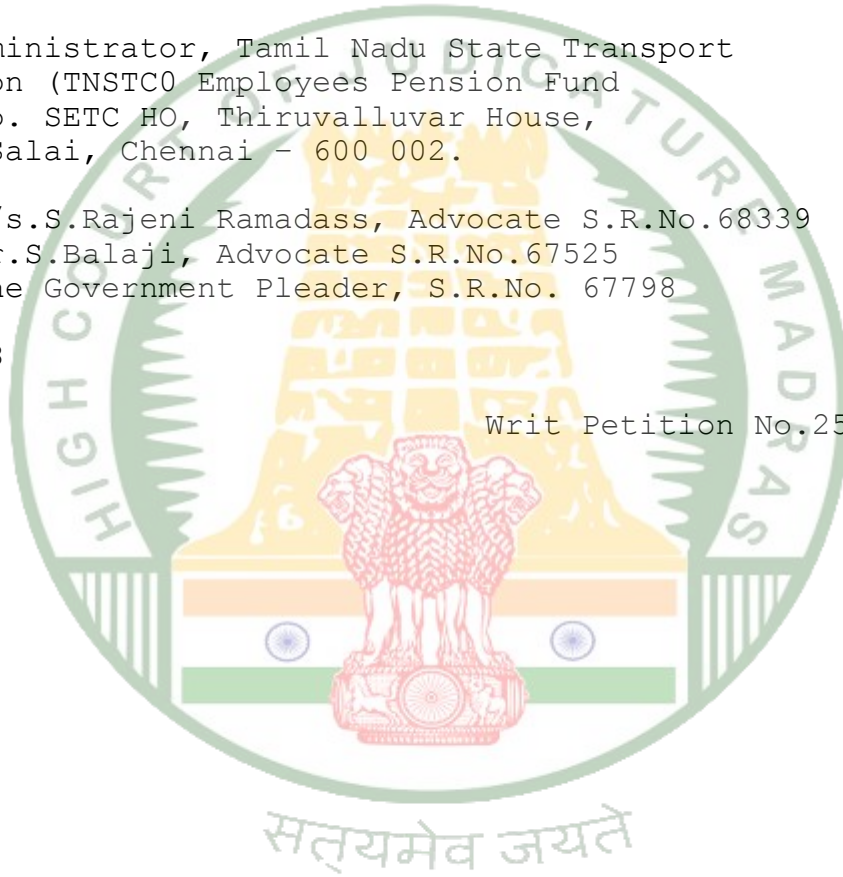
+lcc to M/s.S.Rajeni Ramadass, Advocate S.R.No.68339

+lcc to Mr.S.Balaji, Advocate S.R.No.67525

+lcc to the Government Pleader, S.R.No. 67798

KR/8/11/18

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