



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2718 of 2018

K.Krishnaveni

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
rep. by its Managing Director,
Kumbakonam,
Thanjavur District.

2.Tamil Nadu Transport Corporation
Employees Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 2.

3.Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Division,
rep. by its Managing Director,
Maruthupathi, Managiri Road,
Karaikudi - 630 307.

4.The Accountant General
Office of the Principal Accountant General,
(Accounts and Entitlements) Tamil Nadu,
No.361, Anna salai, Teynampet,
Chennai - 600 018.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to grant payment of pension benefits to the petitioner's husband till his life time and family pension to the petitioner with arrears and interest by considering the petitioner's representation dated 21.10.2016

For Petitioner : Mr.R.Narayanan

For Respondents : Mr.D.Sivaraman for R1 and R3

Mr.P.Gunasekaran for R4

Mr.A.P.Muthupandian for R2

O R D E R

The petitioner's husband in an Ex-serviceman. After his retirement from Army, he worked as Driver in the first respondent Transport Corporation. He retired from service on 30.04.2007. Thereafter, he passed away on 17.03.2011. Since the petitioner's husband was both an Ex-serviceman as well as a retired employee of the first respondent corporation, the petitioner herein is entitled to receive dual family pension. Acting on a misconception, the respondents have withheld the family pension payable to the petitioner from the transport corporation. This is clearly incorrect. The specific stand of the petitioner is that even during the life time of her husband, he did not get any pension from the transport corporation.

2.The respondents are directed to look into the matter and quantify the pension payable to the petitioner to settle with arrears and disburse the same within a period of twelve weeks from the date of receipt of a copy of this order.

3.This writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The Accountant General
Office of the Principal Accountant General,
(Accounts and Entitlements) Tamil Nadu,
No.361, Anna salai, Teynampet,
Chennai - 600 018.

+1CC to Mr.R.Narayanan, Advocate, SR.No. 55224
+1CC to Mr.P.Gunasekaran, Advocate, SR.No. 55513
+1CC to Mr.D.Sivaraman, Advocate, SR.No. 55519

W.P. (MD) No.2718 of 2018
14.03.2018

skn

AM/RSK/SAR 4/19.03.2018/2P/5C