



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.7166 of 2013

R.Janarthanan

... Petitioner

Vs

1. The Government of Tamil Nadu,
Rep. By its Special Commissioner-cum-Secretary,
Transport Department,
Fort St. George, Chennai-9.
2. The Principal Accountant General
(Accounts & Entitlements),
361, Anna Salai,
Teynampet, Chennai-600 018.
3. Director of Pension,
Pension Pay Officer,
No.807, V-Floor, Anna Salai,
Saidapet, Chennai.
4. The Director of Treasuries and Accounts,
Panagal Building,
Jennis Road, Saidapet,
Chennai.
5. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli),
Tirunelveli.
6. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli),
Nagercoil Division,
Nesamony Nagar,
Ranithottam,
Nagercoil-629 001.
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's case under G.O.No.110 Transport Department, Dated 6.6.2002 and include



family pension in his terminal benefit.

For Petitioner : Mr.S.Rajendran
For R1,R3,R4 : Mr.R.Sethuraman,
Special Government Pleader
For R2 : Mr.P.Gunasekaran
For R5 & R6 : Mr.K.Sathiyasingh

WEB COPY

ORDER

The grievance of the writ petitioner is that the family pension scheme as applicable under the Pension Rules for Transport Corporation has not been extended to the writ petitioner.

2.The writ petitioner claims that he was employed in the erstwhile Tamil Nadu State Transport Department and therefore, he is eligible for pension in accord with the terms and conditions of the Government Order in G.O.110 Transport Department, dated 06.06.2002. However, the family pension provided under the said orders and the Rules are not extended. Thus, the writ petitioner is agitating for grant of family pension as per the scheme. However, the authorities are not considering the claim of the writ petitioner without any valid reason. In this regard, the writ petitioner submitted a representation to the respondents on 19.04.2012. Thus, the sixth respondent/The General Manager, Tamil Nadu State Transport Corporation (Tirunelveli), Nagercoil Division is directed to consider the representation submitted by the writ petitioner on 19.04.2012 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the Government Orders and the documents, if any, along with the order passed in this writ petition.

3.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Government of Tamil Nadu,
Rep. By its Special Commissioner-cum-Secretary,
Transport Department,

<https://hcservices.courts.gov.in/hcservices/>
Port St. George, Chennai-9.



2. Director of Pension,
Pension Pay Officer,
No.807, V-Floor, Anna Salai,
Saidapet, Chennai.

3. The Director of Treasuries and Accounts,
Panagal Building,
Jennis Road, Saidapet,
Chennai.

4. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli),
Tirunelveli.

5. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli),
Nagercoil Division,
Nesamony Nagar,
Ranithottam,
Nagercoil-629 001.
Kanyakumari District.

+ 1 cc TO Mr.P.Gunasekaran , Advocate in SR No. 51758
+ 1 cc TO Mr.K.Sathiyasingh , Advocate in SR No. 51506
+ 1 cc TO Mr.K.Vamanan , Advocate in SR No. 51489
+ 1 cc TO The Special Government Pleader in SR No. 51996

am

AE/KKR/SAR3/13.03.2018/3P/10C

W.P(MD)No.7166 of 2013
26.02.2018