

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 10451 of 2018

Mrs. M.Malini

... Petitioner

-Vs-

1. Tamil Nadu State Transport Corporation (TNSTC),
Coimbatore Division,
rep. by its Managing Director,
S.E.T.C. New Bus Stand,
Gandhipuram, Coimbatore - 641 044.
2. The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Coimbatore Division,
The Nilgiris.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Coimbatore Division,
The Nilgiris.
4. B.Mohan,
S/o Bellie.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to directing the 1st to 3rd respondents to disburse to the petitioner the terminal benefits of Death Cum Retirement Gratuity (DCRG), Special Provident Fund, Employee Provident Fund, Encashment of Leave Salary etc., to the credit of the 4th Respondent, towards his liability for the maintenance of the petitioner, by considering the petitioner's representation dated 14.03.2018 within a time period to be fixed by this Hon'ble Court.

For Petitioner

: Mr.S.M.Hasan Fizal

For Respondents

: Mr.P.Kannan kumar for R1 to
R3

Mr.K.V.Sridharan for R4

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 3 to disburse to the petitioner the terminal benefits of Death Cum Retirement Gratuity (DCRG), Special Provident Fund, Employee Provident Fund, Encashment of Leave Salary etc., to the credit of the 4th Respondent, towards his liability for the maintenance of the petitioner, by considering the petitioner's representation dated 14.03.2018.

2. The learned counsel for the writ petitioner states that the fourth respondent is the husband of the writ petition is filed to recovery maintenance from the fourth respondent. However, the fourth respondent already attained the age of superannuation and allowed to retire from service and further the retrial and terminal benefits are already settled in favour of the fourth respondent.

3. It is brought to the notice of this Court that writ petitioner has already filed a petition seeking maintenance and the said petition is also pending before the competent court of law at Coonoor, Nilgiris District. Thus, it is left open to the writ petitioner to pursue her remedies before the competent court of law in the manner prescribed in law.

4. With these observations, the writ petition stands disposed of. No costs.

-sd-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

mp/ssm

To:-

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The Nilgiris.

3. The Branch Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Coimbatore Division,
The Nilgiris.

+1 CC to Mr.L.S.M.Hasan Fizal Advocate SR.NO.41185

+1 CC to M/S. Mr.P.Kannan Kumar Advocate SR.NO.41727

W.P.No. 10451 of 2018

SJ(CO)
cm 14/08/2018



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