

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.15754 of 2019

C. Jemy Meghala

..Petitioner

vs

1. State of Tamil Nadu,
Represented by its Secretary,
Transport Department,
Secretariat,
Chennai- 600 009.

2. M/s. Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Division,
Represented by its Deputy Manager,
Kumbakonam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified Mandamus or any other writ or order or direction in the nature of writ, to call for records of the second respondent in Lr. No. j/m/ngh/f/-fhiu-dated 23.04.2019 and consequently direct the second respondent to settle the eligible terminal benefits payable to petitioner's husband with interest and to register petitioner's name in the register for compassionate appointment and pass such further or other orders.

For Petitioner : Mr. D. Soundar Raj

For Respondents: Mr. R.S. Selvam, Government Advocate for R1

Mr. D. Venkatachalam for R2

O R D E R

The petitioner filed this Writ Petition seeking direction to call for the records of the second respondent dated 23.04.2019 and consequently direct the second respondent to settle the eligible terminal benefits payable to petitioner's husband with interest and to register petitioner's name in the register for compassionate appointment.

2. The case of the petitioner is that the petitioner's husband was appointed as daily paid Driver in the year 2008 and his services were regularized on 1.12.2011. He died on 09.06.2018, while he was in service. Though all the benefits were paid to the petitioner except the Provident Fund. Hence the petitioner filed the Writ Petition for payment of Provident Fund amount.

3. The learned counsel appearing for the respondents on instruction submitted that if any application is filed, on receipt of such application immediately Provident Fund amount will be paid to the petitioner.

4. Considering the facts and circumstances of the case, till date, if no application has been filed before the respondents enabling them to disburse the Provident Fund amount in favour of the petitioner, the petitioner is directed to file appropriate application for disbursement of Provident Fund amount on or before 25.10.2019 and thereafter the respondents are directed to disburse the amount within a period of four (4) weeks from the date of receipt of such application. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

mrn

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Transport Department,
Secretariat,
Chennai- 600 009.

2. The Deputy Manager,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Division,
Kumbakonam

+1 cc to M/s.D.Soundarraaj, Advocate, S.R.No.87163
+1 cc to M/s.D.Venkatachalam, Advocate, S.R.No.87414
+1 cc to the Government Pleader, S.R.No.87721

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GP(CO)
SSM(21/10/2019)