



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

WP (MD) No.13045 of 2019

WEB COPY

R. Manjula Devi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye-Pass Road, Madurai - 625 010.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye-Pass Road, Madurai - 625 010.

3.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 600 002.

4.The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Thirumangalam Branch,
Madurai Region,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay all the retirement benefits of the petitioner's husband to the petitioner and also direct the respondents to grant family pensionary benefits to the petitioner.

For Petitioner	: Mr. M. Gnanagurunathan
For Respondents	: Mr. J.Senthil Kumaraiah Standing Counsel

ORDER

This Writ Petition has been filed for issuing a direction to the respondents to pay all the retirement benefits of the petitioner's husband to the petitioner and also direct the respondents to grant family pensionary benefits to her within the time frame fixed by this Court.

2. Mr. J. Senthil Kumaraiah, learned Standing Counsel takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



3. According to the petitioner, she is a wife of deceased R.Jeyaveera Raghavan, who worked as a Senior Grade Conductor in respondents / Corporation. The petitioner's husband died on harness on 29.08.2017. After the death of her husband, the petitioner is fully entitled to get his retirement benefits. Based on the communication, dated 15.11.2017, received from the respondents / Corporation, the petitioner has submitted a representation, dated 23.12.2017 along with all necessary Documents including death and Legal Heir Certificates, but, the retirement benefits has not been settled so far. In such circumstances, the petitioner has filed the present Writ Petition.

4. The learned Standing Counsel appearing for the respondents would submit that the respondents / Corporation has already settled the Gratuity amount to the petitioner, but, the Provident Fund amount has not been settled to her. He would further submit that she may approach the respondents / Corporation and execute a bond for payment of Provident Fund and thereafter, the same shall be paid to her at the earliest.

5. By considering the aforesaid submission of the learned Standing Counsel appearing for the respondents / Corporation, the learned counsel appearing for the petitioner, on instructions, undertakes before this Court that the petitioner will execute a bond in favour of the respondents / Corporation for payment of Provident Fund.

6. Considering the above said submissions made on either side, this Court is inclined to dispose of the Writ Petition, directing the petitioner to approach the respondents / Corporation and execute a bond in favour them within a period of two weeks from the date of receipt of a copy of this order for payment of provident Fund. In the event of executing a bond, the respondents / Corporation shall pay the Provident Fund, due to the petitioner, as expeditiously as possible, in any event not later than four weeks, thereafter.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

/ True Copy /



To

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Madurai District.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate
(SR-70864[F] dated 24/06/2019)

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate
(SR-70873[F] dated 24/06/2019)

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ES/11.07.2019/3P/7C