



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE **R. MAHADEVAN**

W.P. (MD) No. 6398 Of 2019

K. Dhanabalan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Byepass Road, Madurai - 16.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region, Dindigul - 4.

3. The Administrator,
Tamil Nadu State Transport Corporation Employees,
Pension Fund Trust, Pallavan Salai,
Chennai - 2.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to delete the name of R. Rajarajeswari as wife and also as nominee in the service records of the petitioner as was divorced by order dated 09.01.2007 of the Court of the Principal Subordinate Judge, Dindigul in HMOP.No.170/2005 filed by the petitioner and consequently, to direct the respondents to settle the pensionary benefits to the petitioner immediately as was suffering from cancer.

For Petitioner : Mr. S. Govindan
For R1 and R2 : Mr. J. Senthilkumaran

ORDER

This Writ Petition is filed, seeking to direct the respondents to delete the name of R. Rajarajeswari as wife and also as nominee in the service records of the petitioner, as was divorced by order, dated 09.01.2007 and consequently, to direct the respondents to settle the pensionary benefits to the petitioner immediately.

2. The learned counsel appearing for the respondents 1 and 2, on instructions, submitted that if the petitioner gives a fresh representation along with the order passed by the Court below, the same would be considered on merits. The same has been agreed by the learned counsel appearing for the petitioner.



3. In view of the said submission, this Court, without going into the merits of the case, directs the petitioner to furnish a fresh representation to the respondent concerned, along with the order passed by the Court below, within a period of two weeks from the date of receipt of a copy of this order and on such representation, the concerned respondent is directed to consider the same and pass necessary orders, after affording due opportunity of hearing to the petitioner, within a period of four weeks, thereafter.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

trp

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bypass Road, Madurai - 16.

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Dindigul Region, Dindigul - 4.

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Tamil Nadu State Transport Corporation Employees,
Pension Fund Trust, Pallavan Salai,
Chennai - 2.

+1CC TO MR.S.GOVINDAN, Advocate Sr. No.59815

+1CC TO MR.J.SENTHIL KUMARIAH, Advocate Sr. No. 59910

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SCR (CO)

TR (06.05.2019) 2P 6C