



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.02.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.15428 of 2015
and MP(MD)No.1 of 2015

T.Jaya Angel

... Petitioner

vs.

1.The Managing Director,
Tamilnadu State Express Transport
Corporation Limited,
Pallavan Salai,
Chennai-600 002.

2.The Chief Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund,
Thiruvalluvar Illam,
Annasalai, Chennai-600 002.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to release the petitioners family pension in PPO No. TTC0369/Y7/EPF/SETC(DN.I&II)/2000 and arrears of family pension from the month of April 2006 with 10% interest till date of realization.

For Petitioner : Mr.K.Vamanan

For Respondents : Mr.K.Sathyasingh
Standing Counsel**ORDER**

The Writ Petition is filed seeking a direction to the respondents herein to release the petitioner's family pension in PPO No. TTC0369/Y7/EPF/SETC(DN.I&II)/2000 and arrears of family pension from the month of April 2006 with 10% interest till the date of realization.

2. The case of the petitioner is that the petitioner is the wife of one J.Paulraj, who was appointed as driver in the first respondent Transport Corporation on 01.10.1986 and he died on 23.11.1998. Subsequently, the petitioner sought for family pension and the same was disbursed. In such circumstances, all of a sudden, without any reason or intimation, the respondents stopped the family pension to the petitioner from April 2006. Hence, the



petitioner made several representations to the respondents and finally, she sent a representation to the respondents on 08.05.2015. Since the same have not been considered so far, the petitioner is constrained to approach this Court by filing this Writ Petition.

WEB COPY

3. The learned Counsel appearing for the petitioner would submit that without any reason or intimation to the petitioner, the respondents stopped the family pension to her and hence, he seeks appropriate direction to the respondents.

4. Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents and perused the materials available on record.

5. On a perusal of the records, it is seen that prior to April 2006, the settlement of pension was done to the petitioner by the respondents. However, without adducing any reason, in the interim period, the respondents stopped the payment of pension. In such view of the matter, the respondents are directed to consider the representation of the petitioner dated 08.05.2015 seeking family pension and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and if there are no other legal impediments, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

Ssl

TO

1. The Chief Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund, Thiruvalluvar Illam,
Annasalai, Chennai-600 002.

+1CC TO MR.K.VAMANAN, Advocate Sr. No. 46860

W.P (MD) No.15428 of 2015
and M.P. (MD) No.1 of 2015
11.02.2019