



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.19342 of 2015

WEB COPY

- 1.S.Kandasamy (died)
- 2.K.Ramalakshmi
- 3.Valliyammal
- 4.K.Senthilkumar
- 5.K.Manikandan
- 6.K.Palanikumar

... Petitioners

(P2 to P6 were brought on record as legal representatives of the deceased petitioner, vide order, dated 12.02.2019 made in W.M.P (MD) No.16124 of 2017)

Vs.

- 1.The Managing Director,
State Express Transport Corporation,
Pallavan Salai, Chennai - 600 002.
- 2.The General Manager,
State Express Transport Corporation,
Pallavan Salai, Chennai - 600 002.
- 3.The Branch Manager,
State Express Transport Corporation,
Melur Road, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 03.10.2015 in accordance with law within the time stipulated by this Court and thereby to pay arrears of pension from 21.07.2011 to till date with interest and subsequently monthly pension payable to the petitioner by taking into account of the service rendered by the petitioner as Driver and Helper.

For P.2 to P.6 : Mr.D.Sadiq Raja

For Respondents : Mr.K.Sathya Singh

ORDER

This Writ Petition has been filed seeking a direction to the respondents to pay arrears of pension due to the first petitioner (since deceased) from 21.07.2011 to till date with interest and subsequently monthly pension payable to him, by considering his representation, dated 03.10.2015.



2. Pending Writ Petition, the first petitioner died and the petitioners 2 to 6 were brought on record as the legal representatives of the deceased first petitioner.

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3. The learned counsel appearing for the respondents submitted that the legal heirs of the deceased/first petitioner may be directed to submit a fresh representation. On filing such representation, the same will be considered on merits.

4. In view of the above submission, the learned counsel appearing for the petitioners 2 to 6 seeks liberty to the petitioners 2 to 6 to approach the authorities with a fresh representation to ventilate their grievances.

5. Considering the submissions made by the learned counsel on either side, liberty is granted to the petitioners 2 to 6 to approach the authorities with a fresh representation by raising all the claims, enclosing all the required documents, within a period of two weeks from the date of receipt of a copy of this order. On such approach, the same shall be considered by the respondents and necessary orders be passed thereon, on merits and in accordance with law, after due opportunity of hearing to the petitioners 2 to 6 as well as any of the interested parties, within a period of four weeks thereafter.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar (CS)

To

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

2. The General Manager,
State Express Transport Corporation,
Pallavan Salai,
Chennai - 600 002.



3.The Branch Manager,
State Express Transport Corporation,
Melur Road, Madurai.

+1 CC to M/s.D.SADIQ RAJA, Advocate (SR-56744[F] dated 26/03/2019)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-56826[F] dated
27/03/2019)

W.P(MD)No.19342 of 2015

SP:03/05/2019/3P/6C