



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 18262 of 2017

WEB COPY

S.Fathima

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Byepass Road,
Madurai - 625 016.

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 1st and 2nd respondents to enter the name of the petitioner 2nd wife S.Fathima in the Service Record of (Late) S.Sesudoss Driver based on the Extract of the Register of Marriages maintained in the Church Kosavapatty, Dindigul and Family Card and consequently to direct the respondents to sanction Family Pension and other benefits available to the petitioner's husband (late) S.Sesudoss.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.A.Jeyaram

ORDER

This writ petition has been filed seeking a direction to the respondents to enroll the petitioner's name as nominee in the service record of her deceased husband, who employed as a Driver in the second respondent Corporation and to sanction family pension.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner, being the second wife of the deceased, is entitled to get family pension of her deceased husband. Seeking to enroll her name as nominee in the service record of her deceased husband and to sanction family pension, the petitioner made a representation dated



18.03.2017 and the same has not been considered so far by the respondents. Hence, the petitioner is before this Court.

4.The learned Standing Counsel appearing for the respondents submitted that no required documents have been produced along with the representation and therefore, the claim of the petitioner cannot be considered.

5.In such view of the matter, the petitioner is directed to submit a copy of the representation along with all the required documents to the respondents within a period of two weeks from the date of receipt of a copy of this order. On such filing, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter, after affording an opportunity of hearing to the petitioner.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To

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+1cc to Mr.S.Govindan, Advocate, SR.No.54213

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