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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.19508 of 2017

R.Neelavathi

... Petitioner

vs.

1.The Management of Tamil Nadu,
State Transport Corporation
(Kumbakonam) Ltd.,
Represented by its
Managing Director, Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Trichy Region, Trichy.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to sanction and pay eligible terminal benefits payable to the petitioner for the service rendered by the petitioner's deceased husband Mr.K.Ramadass including Gratuity, Provident Fund, Leave Salary, Bonus, Ex-gratia, Employees Social Protection Scheme amount, Salary arrears from 04.07.1995 to 31.07.1998 with interest at 18% per annum payable from 31.07.1998 to till the date on which the above amounts are settled to the petitioner.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

ORDER

The Writ Petition is filed seeking a direction to the respondents to sanction and pay eligible terminal benefits payable to the petitioner for the service rendered by the petitioner's deceased husband Mr.K.Ramadass and other benefits.

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

3. The case of the petitioner is her husband was employed as a Driver in the respondent Corporation with effect from 06.08.1980 and he was dismissed from service with effect from 04.07.1995. However, the terminal benefits have not been settled to her



husband. In the meantime, the petitioner's husband died on 06.04.2017. Therefore, the petitioner has made representation to the respondents on 16.09.2017 seeking the terminal benefits of her husband. Since the same has not been considered so far, the present Writ Petition has been filed by the petitioner.

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4. The learned Standing Counsel appearing for the respondents submitted that the representation of the petitioner would be considered within a time frame as fixed by this Court.

5. Considering the nature of the prayer as sought for by the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner dated 16.09.2017 and pass appropriate orders on the claim of the petitioner, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Managing Director,
State Transport Corporation
(Kumbakonam) Ltd,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Trichy Region, Trichy.

+1CC TO MR.D.SIVARAMAN, Advocate Sr. No.56092

+1CC TO MR.A.RAHUL, Advocate Sr. No. 55862

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TR (10.04.2019) 2P 5C