



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.8817 of 2013

WEB COPY

T.Indira

... Petitioner

vs.

1. Tamil Nadu State Transports Corporation
Employees' Pension Fund Trust
rep.by its Administrator
Pallavan Salai, Chennai-600 002

2. Tamil Nadu State Transports Corporation
Kumbakonam Limited
rep.by its Managing Director
New Railway Station Road
Kumbakonam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to pay the family pension arrears of Rs.39,420/- for six months and directing the second respondent to pay a sum of Rs.1,46,495/- under different categories like surrendered earned leave salary and other deposits like deposits for Engineering college, Medical College and Poly Technique and also Employees Social Security Protection Scheme in favour of employees and also a sum of Rs.4,462/- that had been deducted from the petitioner's husband's amount towards the loss of cash bag, Identify Card and deficit cash at the time of the petitioner's husband's death in the accident, within a time stipulated by this Court.

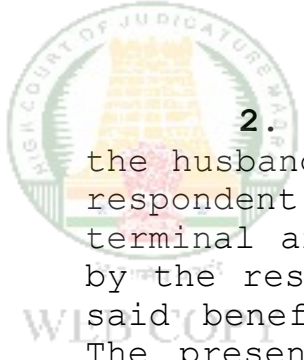
For Petitioner : Mr.S.K.Mani

For Respondents: Mr.K.Sathiya Singh for R1

Mr.D.Sivaraman for R2

O R D E R

The relief sought for in the present writ petition is to direct the first respondent to pay the family pension arrears of Rs.39,420/- for six months and to direct the second respondent to pay a sum of Rs.1,46,495/- under different categories, like surrendered earned leave salary and other deposits, like deposits for Engineering College, Medical College and Polytechnic and also Employees Social Security Protection Scheme in favour of the employees and also to pay a sum of Rs.4,462/- deducted towards the loss of cash bag, identify card and cash deficit at the time of the death of the writ petitioner's husband in the accident, within a stipulated time.



2. The learned counsel for the writ petitioner states that the husband of the writ petitioner was serving as Conductor in the respondent / Transport Corporation and he died subsequently. The terminal and pensionary benefits due to him are yet to be settled by the respondent / Transport Corporation. Without receiving the said benefits, the husband of the writ petitioner passed away. The present writ petition is filed by the wife of the employee seeking the terminal and pensionary benefits due to her husband.

3. It is an unfortunate situation, where the employee had not received the terminal and pensionary benefits due to him and now, his wife has filed the present writ petition seeking the reliefs as stated above. Considering the plight of the writ petitioner, this Court is inclined to direct the respondents to calculate the entire arrears of pension, family pension and other dues, which were to be paid to the deceased employee, and pay the same to the writ petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With these observations, the writ petition is disposed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

krk

+ 1 CC TO Mr.D.Sivaraman, ADVOCATE IN SR No.72500
+ 1 CC TO Mr.K.Sathiya Singh, ADVOCATE IN SR No.72506

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