

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1677 of 2020

Dhanalakshmi

...Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Administrative Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam, Tanjore District.

2. The Zonal General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Trichy Zone,
Periya Melugupalai,
Trichy - 1.

3. The Branch Manager,
Tamil Nadu state Transport Corporation,
Perambalur Branch,
Perambalur,
Perambalur District.

..... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 07.11.2019 and consequently, direct the respondents to issue the claim of the petitioner made in respect of monitory, terminal and other consequential benefits of deceased husband namely Selvakumar to the petitioner.

For Petitioner : Mr.D.Arun

For Respondents : Mr.P.S.Siva Shanmugasundaram,
Special government Pleader for R1
Mr.Karthikrajan
Standing Counsel for R2 and R3

O R D E R

This writ petition has been filed for the issue of writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 07.11.2019 and to settle all the terminal benefits of the deceased employee.

2. The case of the petitioner is that her husband was working as a Conductor in the respondent transport corporation from the year 1989 onwards. He died due to health problems on 23.02.2018, while he was in service. Hence, the petitioner approached the 3rd respondent and requested for settling the terminal benefits to her and her children. The petitioner also gave representation in that regard along with legal heir ship certificate given by the Tahsildar. It is the further case of the petitioner that her husband nominated his father as the nominee and he has also died on 23.02.2018 and therefore, the petitioner is claiming to be the legal heir of the deceased employee along with her children. A representation was also given on 07.11.2019, in this regard to the respondents. Since the same did not evoke any response, the present writ petition has been filed before this Court, seeking for appropriate directions.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 17.11.2019 and pass appropriate orders, within a period of four weeks from the date of receipt of copy of this order and if the 3rd respondent is satisfied that the petitioner and her children are the legal heirs of the deceased employee, appropriate order shall also be passed for disbursement of the terminal benefits. The petitioner is directed to make a fresh representation to the 3rd respondent along with a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Administrative Director,
The Government of Tamil Nadu,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Tanjore District.

2. The Zonal General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Trichy Zone,
Periya Melugupalai,
Trichy - 1.
3. The Branch Manager,
Tamil Nadu state Transport Corporation,
Perambalur Branch,
Perambalur,
Perambalur District.

+1cc to Mr.K.Kathiresan, Advocate, S.R.No. 6051
+1cc to Mr.D.Arun, Advocate, S.R.No. 6558
+1cc to the Government Pleader, S.R.No. 6671

W.P.No.1677 of 2020

NMI (CO)
GN (28/02/2020)