



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD).No.16879 of 2014
and MP(MD)No.1 of 2014

B.Chandra

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Division,
Byepass Road, Madurai-16.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Chennai.

... Respondents

[R2 is impleaded vide order dated 05.03.2020
in WMP.(MD)No.17328 of 2018]

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order, dated 25.03.2014 passed by the respondent and quash the same and consequently direct the respondent to disburse the retirement and pensionary benefits of the petitioner's husband namely Late.K.Balusamy (driver Staff No.02934) along with the back wages for the period between 21.12.2000 till the date of retirement to the petitioner with simple interest within a stipulated time that may be stipulated by this Court.

For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel

ORDER

The relief sought for in the present writ petition is to quash the order, dated 25.03.2014 and direct the respondents to disburse the retirement and pensionary benefits of the husband of the writ petitioner along with the back wages for the period between 21.12.2000 till the date of retirement to the petitioner with simple



interest.

2.The learned Standing Counsel appearing on behalf of the respondents states that pursuant to the award passed by the Labour Court in I.D.No.68 of 2004, the order of dismissal of the husband of the petitioner was set aside. Thereafter, the terminal and pensionary benefits due to the deceased employee was settled in favour of the petitioner and the details in this regard are narrated in Paragraph Nos.5 and 6 of the counter affidavit, which reads as under:-

"5.I humbly submit that aggrieved by the dismissal order, the petitioner's husband raised an Industrial Dispute in I.D.No.68 of 2004 before the Labour Court, Madurai. After a detailed enquiry the Hon'ble Labour Court, pleased to set aside the dismissal order and in view of the petitioner's husband already attained the age of superannuation on 31.07.2004 and subsequently, died on 27.10.2007 itself and hence, the Labour Court directed the Respondent Transport Corporation to disburse the monetary benefits, if any, to the legal heirs of the deceased within three months vide order dated 16.11.2010. In compliance with the Labour Court Order, the respondent Transport Corporation passed an Office Order No.O.Na.Thu/4/849, dated 26.12.2011 settled the following Monetary benefits.

SI.No.	Particulars	Amount (Rs.)	Cheque No/Date
1	Gratuity	63750/-	905275 & 905276 dated 01.01.2014
2	IRTT Contribution	2000/-	Paid
3	Provident Fund Contribution	18716/-	Paid

6.I humbly submit that the petitioner had already filed a similar writ petition in W.P.(MD)No.2487 of 2014 before this Court praying to disburse the monetary benefits of the petitioner's husband along with back wages for the period between 21.12.2000 to till date of retirement with simple interest. The High Court pleased to direct the authority to consider and pass appropriate orders on the representation on merits and in accordance with law within in eight weeks from the date of receipt of copy of this order and the writ petition is disposed of on 17.02.2014 in compliance with the High Court order the respondent Transport Corporation considered the representation 10.03.2014 and passed necessary orders on 25.03.2016."

3.In view of the facts and circumstances, the present writ petition deserves no further consideration and accordingly, the



W.P.(MD).No.16879 of 2014

same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sj i

W.P. (MD) .No.16879 of 2014

(MJ) CO

AP(28/12/2020) 3P 1C