

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.925 of 2021  
(Heard through VC)

D.Noorul Ameen (TRO 749)

.. Petitioner

-vs-

- 1.The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Post Retirement Welfare  
Fund Scheme Trust,  
Tiruvallur Illam, Pallavan Salai,  
Chennai - 600 002.
- 2.The Managing Director,  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.
- 3.The General Manager,  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.
- 4.The Assistant Manager (Pension),  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to effect necessary entry in the petitioner's Service Register, by including the name of his legally wedded second wife Mrs.Fathima as his dependant/Nominee to receive such benefits arising after his lifetime.

For Petitioner

: Mr.P.M.Subramanian  
For Ms.S.Girija

For Respondents  
2 to 4

: Mr.D.Raghu

O R D E R

The petitioner has come up with this writ petition seeking a direction to the respondents to effect necessary entry in the petitioner's Service Register, by including the name of his legally wedded second wife Mrs.Fathima as his dependant/Nominee to receive such benefits arising after his lifetime.

2. Mr.D.Raghu, learned counsel takes notice on behalf of the respondent Nos.2 to 4. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner was an employee of the Tamilnadu State Transport Corporation, Salem Division and he gave the name of his first wife to get the terminal benefits in the event of his demise during service or thereafter. As there was a rift in their relationship, they got separated and moved for divorce. By consent of the parties, the Family Court, Salem granted divorce on 09.09.2019 in O.S.No.11 of 2015. Waiting for the verdict for a prolonged time, with the hope of getting happiness, he married for the second time on 18.12.2019, which got registered and the second marriage is a valid marriage. The petitioner has made a representation on 21.11.2020, requesting the respondent to delete the name of the first wife and include the name of the second wife, who is legally married on 18.12.2019 after the judgment and decree of divorce with the first wife on 09.09.2019.

4. The request of the petitioner appears to be genuine. Hence, the respondents are directed to consider the request of the petitioner, if not already considered, positively within a period of thirty days from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Administrator,

Tamil Nadu State Transport Corporation

Employees Post Retirement Welfare

Fund Scheme Trust,

Tiruvallur Illam, Pallavan Salai,

<https://hcservices.ecourts.gov.in/hcservices/>  
Chennai - 600 002.

2.The Managing Director,  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.

3.The General Manager,  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.

4.The Assistant Manager (Pension),  
Tamil Nadu State Transport Corporation,  
Salem Division, No.12, Ramakrishna Road,  
Salem - 636 007.

+1cc to Mr.D.Raghu , Advocate SR.No. 2314

+1cc to M/s.S.Girija , Advocate SR.No. 3014

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A.SK(17.02.2021) .



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