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W.P.No.6755 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6755 of 2021

1. D. Joseph Manohar
2. J. Prasanna Indira

... Petitioners

-VS-

Managing Director,
Metropolitan Transport Corporation Chennai Limited
Pallavan salai, Chennai 600 002.

... Respondent

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the first petitioner's representation dated 08.10.2018 in accordance with law.

For Petitioners : Mr.K.Senthil Kumar

For Respondent : Mr.K.Moorthy

ORDER

This writ petition has been filed, seeking a direction to the respondent to consider the first petitioner's representation dated 08.10.2018 in accordance with law.



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2. It is the case of the petitioners that before his marriage with the 2nd petitioner, the 1st petitioner has nominated the name of his friend by name, Mercy Chitra as nominee in his Service Records and, after marrying the second petitioner, the 1st petitioner wanted to include the name of his wife, namely the second petitioner herein and the children born to them out of wedlock. In this regard, the 1st petitioner has made a representation dated 24.10.2018 to the respondent for suitable mutation. Since there was no response on his representation, the present petition has been filed for the aforesaid direction.

3. It is pertinent to mention here that it is open to an employee to nominate anyone as a nominee and further, it is also open to him to change the nominee at any time. In the present case on hand, this Court finds nothing wrong in the act of the 1st petitioner in nominating his friend, Mercy Chitra initially as nominee and now, he wanted to change the nominee and include his wife's name and children in the place of the said Mercy Chitra in the Official Records, for which a representation was made as early as on 08.10.2018.



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4. In view of the fact that the 1st petitioner has already made a representation to the respondent, the request of the first petitioner shall be considered for inclusion of his wife's name / 2nd petitioner herein and his children in the Records, after due registration of their marriage with the appropriate Sub Registrar's Office and the Registration Certificate shall be produced to the respondent herein. Upon receipt of the Certificate, the name of the second petitioner and his children shall be included as nominees in the Service Register, within a period of two weeks thereafter.

5. With the above direction, the Writ Petition is disposed of. No costs.

22.03.2021

dpq

Index: Yes/No

Speaking order / Non speaking order

To:

Managing Director,
Metropolitan Transport Corporation Chennai Limited
Pallavan salai, Chennai 600 002.



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S.VAIDYANATHAN, J.
dpq

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