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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.1356 OF 2018

Poongavanam

... Petitioner

Vs.

1. The Managing Director,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai,  
Chennai - 600 002.
2. The General Manager,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai, Chennai - 600 002.
3. The Assistant Manager,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai, Chennai - 600 002.
4. The State of Tamil Nadu,  
Rep. by the Secretary to the Government,  
Transport Department, Fort St.George,  
Chennai - 600 009.

(R4 - Suo motu impleaded vide  
order dated 26.02.2021 made in  
W.P.No.1356 of 2018 by RMDJ)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the due payment of Life Time Annuity (LTA) Benefits of the petitioner's husband Mr.Srinivasan to the petitioner.

For Petitioner : Mr.G.Murugendran

For Respondents: Mr.M.Chidambaram for R1 to R3  
Mr.S.Thangavel for R4  
Special Government Pleader



## O R D E R

The petitioner has filed this writ petition seeking direction to the respondents to disburse the due payment of Life Time Annuity (LTA) Benefits of her husband by name Srinivasan to her.

2.The case of the petitioner is that her husband worked as Technician under the respondents Corporation and retired from service on 30.04.2004 on attaining the age of superannuation. On 14.05.2005, her husband left the house and despite her continuous search, she was not able to trace him. Thereafter, she applied to the respondents for the payment of Life Time Annuity (LTA) Benefits of her husband, however, the same has not yet been settled in her favour. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner had enclosed all the necessary documents while applying for the Life Time Annuity (LTA) Benefits of her husband, however, the same has not yet been disbursed to her.

4.The learned counsel appearing for the respondents 1 to 3 submitted that the respondent Corporation caused a letter to the petitioner to produce the original documents for consideration and also for onward transmission in a form of proposal to be sent to the Government for redressing her grievance.

5.Heard both sides and perused the materials available on record.

6.A perusal of records disclose that the Inspector of Police, H8 Thiruvotriyur Police Station (L & O), Chennai, has issued a certificate to the effect that on the basis of the complaint given by the petitioner that her husband was missing from 14.05.2005, a case was registered in Cr.No.1590 of 2005 and search was done, however, he was not found out and hence, the petitioner was issued with non-traceable certificate. In such circumstances, there is no impediment for the respondent Corporation to consider the claim of the petitioner and settle the Life Time Annuity (LTA) benefits of the petitioner's husband in favour of her, if not already granted.

7.In such view of the matter, this Court directs the petitioner to produce the required documents to the respondent Corporation within a period of two weeks from the date of receipt of a copy of this order. On such production, the respondent Corporation shall consider the same and settle the Life Time Annuity Benefits to the petitioner, within a period of six weeks thereafter.



8.The writ petition is allowed on the above terms. No costs.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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To

1. The Managing Director,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai,  
Chennai - 600 002.
2. The General Manager,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai,  
Chennai - 600 002.
3. The Assistant Manager,  
Metropolitan Transport Corporation (Chennai Limit)  
Pallavan House, Annasalai,  
Chennai - 600 002.
4. The Secretary to the Government,  
Transport Department,  
Fort St.George,  
Chennai - 600 009.

+1cc to Mr.M.Chidambaram, Advocate, S.R.No.20564

+1cc to Mr.G.Murugendran, Advocate, S.R.No.20567

+1cc to the Government Pleader, S.R.No.21042

W.P.No.1356 of 2018

AD(CO)

CS/01/07/2021