



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2021

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

W.P.No.22934 of 2021

and

W.M.P.No.24140 of 2021

(Through Video Conferencing)

1.V.Revathi

2.V.Rama Krishnan

... Petitioners

Vs

1.M/s.State Express Transport Corporation Ltd,
Rep by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

2.M/s.State Express Transport Corporation Ltd,
Rep by its General Manager,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein to settle the Terminal benefits of the 1st petitioner's husband from 01.02.1986 to 27.10.2014, back wages from 13.03.2008 to 27.10.2014 and consequently pay arrears of pension payable to the 1st petitioner's husband from April 2015 to the petitioners herein with 6% interest by considering the representation of the 1st petitioner dated 09.09.2015 and in the light of the similar orders passed by this Hon'ble Court in W.A.No.2349 of 2013 dated 22.03.2018 and W.P.No.2409 of 2021 dated 17.03.2021 and also direct the respondent herein to issue bus pass to the 1st petitioner herein and compassionate appointment to the 2nd petitioner above named herein.

For Petitioner : Mr.D.Soundar Raj

For Respondents: Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

It is the case of the petitioner that the petitioner is the wife of the deceased N.Venkatesan who was working as a conductor



with the respondent State Express Transport Corporation Limited. The petitioner's husband was dismissed from service and thereafter directed to be reinstated pursuant to an order on Labour Court in I.D.No.68 of 2000 vide order dated 19.03.2008. A writ petition was filed against the aforesaid order which was also dismissed by an order dated 23.04.2013 in W.P.(MD).No.958 of 2009 by the Hon'ble Madurai Bench of this Court. Meanwhile, the petitioner's husband was diagnosed of Lung cancer and he was reinstated into the service in view of the orders of the Labour Court and the Hon'ble Madurai Bench of this Court referred to supra.

2.It is submitted that though the petitioner's husband passed away on 14.03.2015, the terminal benefits and the request for appointment on compassionate grounds has not been considered by the respondent despite several representations of the petitioner's starting from 2019.

3.Considering the fact that the petitioner has been sent representations from 2015, this writ petition is disposed by directing the respondents and dispose the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that all the terminal benefits that are to be paid after the death of the petitioner's husband should be settled within the aforesaid period. The request of the petitioner for appointment of petitioner or any of the other legal heir on late N.Venkatesan, the husband of the 1st petitioner on compassionate ground may also to be considered by the respondents within the aforesaid period in the light of the G.O.Ms.No.18, Labour and Employment (Q1) Department, dated 23.01.2020 and G.O. Which prevailed in 2015. The respondents are also directed to ensure that the family pension due to the 1st petitioner is sanctioned within the aforesaid period subject to the petitioner qualifying the eligibility criteria under the Provision of the Tamil Nadu State Transport Corporation Employees' Pension Fund Trust. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jas



To

1.The Managing Director,
State Express Transport Corporation Ltd,
No.2, Pallavan Salai,
Chennai - 600 002.

2.The General Manager,
State Express Transport Corporation Ltd,
No.2, Pallavan Salai, Chennai - 600 002.

+1cc to Mr.D.Soundar Raj, Advocate SR.No.55324
+1cc to the Government Pleader SR.No.55825

W.P.No.22934 of 2021
and
W.M.P.No.24140 of 2021

KSM(CO)
GN(01/12/2021)