



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

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THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 15215 of 2021

WEB COPY

J. Shakila Banu

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Railway Feeder Road,
Kumbakonam,
Thanjavur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of ***Writ of Mandamus***, directing the respondent to grant family pension to the petitioner from the date of death of her husband based on her representation dated 25.07.2020, within the time frame fixed by this Court.

For Petitioner : Mr.R.V. Rajkumar
For Respondent : Mr.P.Bala Subramanian,
Standing Counsel

O R D E R

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondent to grant family pension to the petitioner from the date of death of her husband based on her representation dated 25.07.2020, within the time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The case of the writ petitioner is that the writ petitioner has made a representation on 25.07.2020 to settle family pension to the petitioner from the date of death of her husband. However, the aforesaid application has not been considered by the respondent.

5. In the affidavit filed in support of the writ petition, the petitioner has stated that the petitioner is the third wife of the deceased employee. The husband of the petitioner has divorced the



first two wives. Therefore, the petitioner alone is entitled for the family pension.

6. The learned Government Pleader appearing for the respondent has not disputed the aforesaid fact stated in the affidavit filed in support of the Writ Petition.

7. Considering the above facts of the case, this Court is inclined to direct the respondent to consider the petitioner's representation dated 25.07.2020 and pass orders on its own merits and in accordance with law as expeditiously as possible within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that if necessary, the respondent Corporation shall serve notice to the aggrieved parties.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Railway Feeder Road,
Kumbakonam,
Thanjavur District.

+1 CC to M/s.P.BALASUBRAMANIAM, Advocate (SR-27311[F] dated 25/08/2021)

+1 CC to M/s.R.V.RAJKUMAR, Advocate (SR-27504[F] dated 26/08/2021)

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