



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.16442 of 2020

Mumtaj Begam

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu Transport Corporation (Madurai) Limited,
Bye-Pass Road,
Madurai.

2.The Branch Manager,
Tamil Nadu Transport Corporation (Madurai) Limited,
Cholavanthan Branch,
Cholavanthan,
Madurai District.

3.The Administrator,
Tamil Nadu Transport Corporation Employees'
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

4.Amsath Begam

... Respondents

(R - 4 is impleaded vide order, dated 04.02.2021
in W.M.P(MD)No.1325 of 2021)

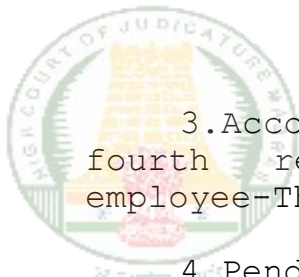
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to disburse the pensionary benefits and family pension to the petitioner on the basis of her representation, dated 12.10.2020.

For Petitioner	: Mr.K.Guhan
For RR 1 to 3	: Mr.J.Senthil Kumariah Standing Counsel
For R - 4	: Mr.S.Balaji

ORDER

The petitioner has filed the present Writ Petition, to direct the respondents to disburse the pensionary benefits and family pension to the petitioner on the basis of her representation, dated 12.10.2020.

2.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.



3. According to the petitioner, she is the first wife and the fourth respondent is the second wife of the deceased employee-Thanvardeen.

4. Pending the Writ Petition, at the intervention of elders and family members, the petitioner and the fourth respondent arrived at an amicable settlement and entered into a compromise and the same was reduced into writing. As per the joint compromise memo, dated 17.03.2021, the petitioner and the fourth respondent agreed to receive 50% each of the Family Pension and the fourth respondent agreed for the petitioner retaining free bus pass issued to the petitioner and they further agreed that if either of them re-married, they will not be entitled to the Family Pension. The petitioner and the fourth respondent appeared before this Court through Video Conferencing and their respective counsels confirmed their identity. The learned counsel for the parties have filed joint compromise memo duly signed by the petitioner, the fourth respondent and their respective counsels. The petitioner and the fourth respondent confirmed the terms of compromise entered into between them.

5. The learned counsel appearing for the petitioner submitted that from the date of death of the husband of the petitioner and the fourth respondent, the respondents 1 to 3 have not paid the Family Pension.

6. From the materials available on record and in view of compromise entered into between the petitioner and the fourth respondent, the respondents 1 to 3 are directed to pay 50% each of arrears of the Family Pension to the petitioner and the fourth respondent from the date of the death of the deceased employee-Thanvardeen and continue to pay the Family Pension every month in the same ratio. The said joint compromise memo, dated 17.03.2021, is taken on record.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

psNote : 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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Managing Director,
Tamil Nadu Transport Corporation (Madurai) Limited,
Bye-Pass Road,
Madurai.

2.The Branch Manager,
Tamil Nadu Transport Corporation (Madurai) Limited,
Cholavanthan Branch,
Cholavanthan,
Madurai District.

3.The Administrator,
Tamil Nadu Transport Corporation Employees'
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.K.GUHAN, Advocate (SR-20964[F] dated 02/07/2021)

+1 CC to M/s.S.BALAJI, Advocate (SR-20965[F] dated 02/07/2021)

W.P (MD) No.16442 of 2020
02.07.2021

LS (CO)
KB(22.07.2021) 3P 6C