



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.03.2021

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P. (MD)No.4934 of 2017

R.Seetha

...Petitioner

Vs

- 1.The General Manager,
Office of the General Manager,
Tamil Nadu State Transport Corporation,
Post Box No.46, Railway Station New Road,
Kumbakonam-612 001.
- 2.The Assistant Manager (Service and law),
Office of the Assistant Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Region, Karaikudi,
Sivagangai District.
- 3.The Branch Manager,
Office of the Branch Manager,
Tamil Nadu State Transport Corporation,
Muthukulathur Branch,
Ramanathapuram District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay all the service and terminal and death benefits of the petitioner's husband by name, P.Ramachandran, Staff No.C89005 to the petitioner and her children as per the entries made in the petitioner's husband's service registrar within the time stipulated by this Court.

For Petitioner :Mr.M.S.Jayakarthish

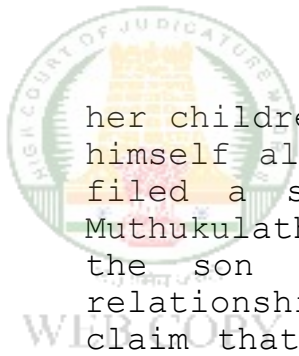
For Respondents :Mr.D.Sivaraman

Standing Counsel for Respondents.

O R D E R

The writ petition has been filed seeking a direction to the respondents to pay all the service and terminal and death benefits of the petitioner's husband by name, P.Ramachandran, Staff No.C89005 to the petitioner and her children as per the entries made in the petitioner's husband's service registrar within a stipulated time.

2. The case of the petitioner is that the petitioner's husband was working as a conductor in the respondent Corporation and while he was on duty, died on 25.01.2016 leaving behind the petitioner and



her children as legalheirs. In the meantime, one Palanivel, claiming himself alone to be the legalheir of the petitioner's husband and filed a suit in O.S.No.9 of 2017 before the District Munsif, Muthukulathur and the same is pending. But the said Palanivel was the son of the petitioner's husband's wife with whom the relationship was broken up nearly 40 years ago, hence, he cannot claim that he is the legalheir of the petitioner's husband. Apart from that the petitioner's husband had given the names of the petitioner and her children as his legalheirs in his service register but not the said Palanivel. Hence, the petitioner has approached the respondents for the terminal benefits and sent a representation on 04.12.2016 in this regard. Hence, the present writ petition has been filed. Since the same was not considered, this writ petition has been filed.

3. The learned Counsel for the petitioner would submit that it would be suffice, if this Court issues a direction to the respondents to consider the representation of the petitioner at the earliest point of time.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection to consider the petitioner's representation, in accordance with law.

5. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 04.12.2016 submitted by the petitioner and to pass appropriate orders on merits and in accordance with law, within a period of twelve(12) weeks from the date of receipt of a copy of this order, after hearing necessary parties and aggrieved parties, if not already disposed of.

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

Sd/-

Assistant Registrar (AE)

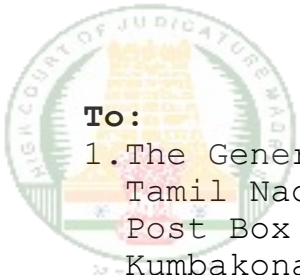
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Sub Assistant Registrar(CS)

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.

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



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+1 CC to M/s.D.SIVARAMAN, Advocate (SR-11331[F] dated 16/03/2021)

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15.03.2021

RP(17.05.2021) P 5C