IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9304 of 2019

P.Muralidharan ...Petitioner

Vs.

1.The Accountant General,
Office of the Accountant General (Accounts & Entitlements)
Tamil Nadu,
Chennai – 600 018.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem.

3.The Under Secretary,
Transport (TBC) Department,
Secretariat, Chennai – 600 009. Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to pay the lifetime arrears of pensionaray benefits lying in the office of the 1st respondent as against the death of R.Ramakrishnan in favour of the petitioner herein.

For Petitioner	: Mr.G.Palani
For Respondents	: Mr.V.Murali for R1
	Mr.R.Babu for R2
	Mrs.E.Indhumathi Government Advocate of R3

ORDER

The relief sought for in the present writ petition is to direct the respondents to pay the life time arrears of pensionary benefits lying in the office of the 1st respondent as against the death of R.Ramakrishnan.

2.The petitioner states that the deceased employee Mr.Ramakrishnan is his sister's husband and he was employed as a Fitter in the Transport Corporation. The deceased employee retired on 31.03.1996 and expired on 19.08.2007. The wife of the deceased employee Smt.V.Rukmaniammal @ V.Rukmani also died subsequently. The petitioner who is the brother in law of the deceased employee, now claims life time arrears.

3.The learned counsel for the respondent Transport Corporation made an objection stating that the brother-in-law of the deceased employee cannot claim life time arrears, in the absence of any valid documents. The petitioner has not produced Succession Certificate and the relevant documents for the purpose of claiming the life time arrears.

4. In the absence of any valid documents, the authorities may not be in a position to consider the case of the writ petitioner. More so, the petitioner being a brother-in-law of the deceased employee has to establish that there is no other legal heir, who all are eligible to get the life time arrear of the deceased employee. This being the factum, the petitioner has to place all the relevant records before the respondents for the purpose of considering his case and in the absence of the records, the respondents are not in a position to consider the case of the writ petitioner.

S.M.SUBRAMANIAM, J.

ssr

5. With the above observations, this writ petition stands dismissed. No Costs.

28.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes / No
ssr

To

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