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W.P.No.9831 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.9831 of 2022

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... Petitioner

Vs.

1.The Secretary to the Government,
Department of Transport,
Government of Tamil Nadu,
St.Fort George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
(Formerly Thanthai Periyar Transport Corporation),
Villupuram - 605 602.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 2nd respondents to consider the representation of the petitioner dated 18.08.2021 in accordance with law and also considering the petitioner is a physically challenged and unable to work and earn for her livelihood, within a reasonable time.

For Petitioner : Mr.M.Abdul Razack

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



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W.P.No.9831 of 2021

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the first and second respondents to consider the petitioner's representation dated 18.08.2021 seeking for payment of service benefits and other monetary benefits including family pension payable to her deceased husband S.Abdul Gani, who was working as a Driver in the second respondent / Transport Corporation.

2. The petitioner claims that she is a physically challenged person and her husband S.Abdul Gani was employed in the second respondent / Transport corporation as a Driver. He died on 21.02.2017. After his death, the petitioner has approached the second respondent / Transport Corporation seeking for payment of her deceased husband's service benefits and other monetary benefits including family pension. According to her, she was informed by the second respondent / Transport Corporation that her husband was terminated from service on 25.08.2014. It is contended by the petitioner that she was not aware of the same. According to her, she entirely depended upon her husband's salary during his life time and now depended upon his service benefits and other monetary benefits including family



pension for her livelihood.

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3. The petitioner has given the representation on 18.08.2021 to the second respondent / Transport Corporation seeking for payment of the service benefits and other monetary benefits including family pension payable to her deceased husband. Since the representation has not been considered till date, the petitioner has filed this Writ Petition.

4. Heard Mr.Abdul Razack, learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the respondents.

5. No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 18.08.2021 seeking for service benefits and other monetary benefits which was payable



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to her deceased husband who was working as a Driver in the second respondent / Transport Corporation, including family pension, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No Costs.

19.10.2022

Index : Yes/No
Speaking Order : Yes / No
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ABDUL QUDDHOSE. J.,

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