



WEB COPY



Order dated : 07.07.2022
Writ Petition No.7229 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.7229 of 2014

S.Jaya
W/o.Late.Chandrasekaran

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Coimbatore - 43.

2.The General Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Coimbatore - 43.

3.The Manager,
Provident Fund and Settlement Section,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore - 43.

4.The Assistant Manager,
Provident Fund and Settlement Section,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore - 43.

5.Bharathi

... Respondents

PRAYER:



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 to 4 to take steps to grant family pension and settle the terminal benefits of the late.Chandrasekaran P.R.No:14573 Driver in Tamil Nadu State Transport Corporation Ltd., Coimbatore, to the petitioner herein.

For Petitioner : Mr.M.Venkateswaran

For Respondents : Mr.A.Sundaravadhanan

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 4 to take steps to grant family pension and settle the terminal benefits of the Late.Chandrasekaran P.R.No:14573 Driver in Tamil Nadu State Transport Corporation Ltd., Coimbatore, to the petitioner herein.

2. The petitioner states that the Late.Chandrasekaran was working as a driver in the Tamil Nadu State Transport Corporation and died. The contention of the petitioner is that the fifth respondent is also claiming as wife of the deceased employee and therefore, the respondents 1 to 4 are not settling the terminal benefits and family pension.

3. This Court is of the considered opinion that validity of marriage cannot



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be adjudicated in writ proceedings. If at all, there is a counter claim then the issues are to be adjudicated and resolved by approaching the competent Court of law. Thus, the petitioner is at liberty to approach the competent Court of law for the purpose of declaration or otherwise and after resolving the dispute between the petitioner and the fifth respondent, the respondents 1 to 4 shall initiate steps to settle the terminal benefits and family pension due to the legal heirs.

With these observation, this Writ Petition stands disposed of. No costs.

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Index : Yes
Speaking order
gm

S.M.SUBRAMANIAM., J



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