



WEB COPY



W.P.No.18117 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.18117 of 2014

K.Krishnaveni

... Petitioner

Vs.

1.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund,
Pallavan Salai,
Chennai – 600002.

2.The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan Illam, Anna Salai,
Chennai – 600002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay full back wages from 09.07.2009 to 17.02.2010, gratuity, family pension and other terminal benefits etc., petitioner's husband is entitled to.

For Petitioner : Mr.A.L.Rajaraman

For Respondents : Mr.C.Gouthama Raj
Standing Counsel



ORDER

The relief sought for in the present writ petition is to direct the respondents to pay full back wages from 09.07.2009 to 17.02.2010, gratuity, family pension and other terminal benefits due to the petitioner's husband.

2. The husband of the writ petitioner was employed in the Metropolitan Transport Corporation Limited. Departmental disciplinary proceedings were initiated against the husband of the writ petitioner and after conducting an enquiry, he was admittedly, dismissed from service on 09.07.2009. The petitioner herself has admitted in the affidavit filed in support of the writ petition that her husband was dismissed from service on 09.07.2009.

3. As per the Service Rules in force, the dismissed employee is not eligible for terminal benefits. Only eligible benefits like gratuity, pension alone is to be paid.

4. The learned Standing Counsel appearing on behalf of the respondents made a submission that the said eligible benefits has already been settled in favour of the writ petitioner and the petitioner is not



W.P.No.18117 of 2014

eligible for any other benefits as the husband of the petitioner was dismissed from service.

5. In view of the fact that the husband of the writ petitioner was dismissed from service and the order of dismissal became final and remained unchallenged, the petitioner is not eligible for any other relief.

6. Accordingly, the Writ Petition stands dismissed. No costs

12.07.2022

Jeni

Index : Yes

Speaking order : Yes

To

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W.P.No.18117 of 2014

S.M. SUBRAMANIAM, J.

Jeni

W.P.No.18117 of 2014

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