



WEB COPY



W.P.No.33704 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.12.2022

Coram

The HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.No.33704 of 2022

Arputham

.. Petitioner

VS

1.The Zonal Officer,
Metropolitan Transport Corporation (Chennai),
Vadapalani Depot,
Vadapalani, Chennai – 600 026.

2.The Branch Manager,
Metropolitan Transport Corporation (Chennai),
Vadapalani Depot,
Vadapalani, Chennai – 600 026.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to release Family Pension of the employee Tr.David from 09.02.2000 onwards in favour of the petitioner herein as claimed in the representation dated 16.09.2022 submitted before the respondents herein.

For Petitioner : Mr.C.Shankar

For Respondents : Mr.R.Balaji
Standing Counsel



W.P.No.33704 of 2022

ORDER

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This writ petition has been filed for a mandamus seeking for a direction to the respondents to release the family pension to the petitioner on account of the death of her husband David on 09.02.2000.

2. The deceased David was an employee with the respondent Transport Corporation. Since the petitioner had not produced the legal heirship certificate earlier, she has not been granted family pension till date. The petitioner now claims that she has obtained a civil Court decree declaring that she is the legal heir of the deceased David and therefore she has given a representation dated 16.09.2022 to the respondents requesting them to release the family pension to her. Since the representation has not been considered till date, she has filed this writ petition.

3. Heard Mr.C.Shankar, learned counsel for the petitioner and Mr.R.Balaji, learned standing counsel who accepts notice on behalf of the respondents.



W.P.No.33704 of 2022

WEB COPY

4. 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 that may be fixed by this Court.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 16.09.2022 seeking for release of family pension in her favour in respect of her deceased husband David from 09.02.2000 onwards within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the writ petition stands disposed of. No costs.

15.12.2022

Index:Yes/No
mmi



W.P.No.33704 of 2022

WEB COPY

To

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Chennai – 600 026.
- 2.The Branch Manager,
Metropolitan Transport Corporation (Chennai),
Vadapalani Depot,
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ABDUL QUDDHOSE,J.

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