



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3702 of 2022

C.Maalaiyammal

... Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd,
Dindigul Region, Bye Pass Road,
Dindigul.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to include petitioner's daughter's name Mrs.C.Baby Salini in the service register maintained by the respondent within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.J.Senthil Kumaraiah
Standing Counsel

ORDER

The relief sought for in the present writ petition is to direct the respondent to include the petitioner's daughter's name Mrs.Baby Salini in the service register maintained by the respondent.

2.The petitioner states that her husband was employed as Driver in Tamil Nadu State Transport Corporation (Madurai) Ltd., and her husband died on 20.12.2021 leaving behind the petitioner and their daughter and two sons. While the husband of the petitioner was in service, he entered the name of the petitioner as wife and further entered the names of two sons alone and the daughter's name has not been entered in the service records. Therefore, the petitioner is constrained to move the present writ petition.



3.Regarding the nomination in the service Register, the petitioner, who is not an employee, cannot seek any direction to include the name of her daughter in the nomination. Regarding the entry of nomination in the service register, the employee alone is competent to do so and not the spouse, more so, after the death of the employee.

4.In the present case, the husband of the petitioner, who was an employee admittedly died on 20.12.2021 and in respect of the pensionary benefits, the petitioner is entitled for the same. Therefore, the question relating to the entry of the daughter's name as a nominee in the service register would not arise at all. Thus, the relief is absolutely misconceived and accordingly the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(Accts)

// True Copy //

/ /2022

Sub Assistant Registrar

Ns

To

The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd,
Dindigul Region, Bye Pass Road,
Dindigul.

W.P. (MD) No.3702 of 2022
28.02.2022

SP/17/03/2022/2P/2C