



W.P.(MD)No.20997 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20997 of 2022

S.Jebarethinam

... Petitioner

Vs

1.The Managing Director,
State Express Transport Corporation (SETC),
Thiruvalluvar House,
Pallavan Salai,
Chennai – 2.

2.The General Manager,
State Express Transport Corporation (SETC),
Kanyakumari Depot,
Kanyakumari District.

3.The Branch Manager,
State Express Transport Corporation (SETC),
Kanyakumari Depot,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the service and other benefits to petitioner's father while he was in service by considering petitioner's representation, dated 09.11.2021.



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For Petitioner : Mr.V.M.Jegadeeshapandian

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner's father joined the respondent Corporation as Conductor in the year 1985. He had passed away on 12.12.2014. According to the petitioner, his father died leaving behind his mother and two sons including the petitioner. However, the terminal benefits have not been disbursed till date. That lead to filing of this writ petition.

3. When the matter was taken up for disposal, the learned Standing Counsel submitted that the petitioner's father was dismissed from service on 07.12.2001 itself on account of long and unauthorized absence. That may be so but then the terminal benefits still have to be paid. Since the employee is no more his legal heirs will have to be paid the same.

4. The petitioner is permitted to approach the second respondent with the documents set out in the communication dated 14.09.2022. Copy of the same has been served on the petitioner's counsel. After the receipt of the documents mentioned at Serial No.1 to 4, the respondents shall take steps to ensure that



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the terminal benefits payable to Sowndarapandian Rajamani are disbursed to the three legal heirs. Since the petitioner had approached the Management belatedly, the question of paying interest will not arise. This writ petition is allowed on these terms. No costs.

01.11.2022

Index : Yes / No
Internet : Yes/ No
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To

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