



W.P.(MD)No.5964 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.5964 of 2017

and

W.M.P.(MD)No.4712 of 2017

C.Kulanthai Thires

... Petitioner

VS.

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents forthwith to pay family pension to the petitioner under the provisions of Tamil Nadu State Transport Corporation Employees Pension Fund Rules from the date of death of the petitioner's husband without reference to defence family pension being received by the petitioner, with arrears together with reasonable rate of interest and to award costs.

For Petitioner	: Mr.A.Rahul
For R1 and 2	: Mr.D.Sivaraman
For R3	: Mr.A.P.Muthu Pandian

ORDER

This writ petition is filed for issuance of writ of Mandamus, to direct the respondents forthwith to pay family pension to the petitioner under the provisions of Tamil Nadu State Transport Corporation Employees Pension Fund Rules from the date of death of the petitioner's husband without reference to defence family pension being received by the petitioner, with arrears together with reasonable rate of interest and to award costs.



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2. The writ petitioner's husband died while in service. He was not paid any pension at all. Therefore, the respondents contended that the petitioner is not entitled to family pension for the civil service. The said claim is rejected. The petitioner is entitled to family pension as per G.O.Ms.No.290, Public (Ex-Servicemen) Department, dated 05.04.2017 and by subsequent circulars passed by the respondents. The respondents are directed to disburse the family pension for the civil service.

3. With the above said observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes

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