



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2022

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 23180 of 2021

B.Indira Devi

... 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,
Karaikudi Region.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 012.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to pay the pension arrears amount to the petitioner on the basis of the petitioner's representation dated 15.09.2021.

For Petitioner

: Mr.B.Santhanam Rajeshkumar

For Respondents

: Mr.P.Balasubramanian



O R D E R

This Writ Petition is filed to direct the respondents to pay the pension arrears to the petitioner, based on her representation dated 15.09.2021.

2. The learned counsel appearing for the petitioner submits that the petitioner's husband was served as a Conductor in the first respondent Transport Corporation and retired from service on 29.02.2012. After the retirement, he had been receiving the pension from 01.03.2012 onwards. However, he died on 21.11.2020 and thereafter, the first respondent Corporation has stopped the family pension to the petitioner. Therefore, the petitioner made a representation to the respondents and since the same has not been considered, she has approached this Court by filing the present Writ Petition with the aforesaid prayer.

3. Mr.P.Balasubramanian, learned counsel appearing for the respondent Corporation submits that the petitioner has not submitted her Legal Heir Certificate. Therefore, there is a delay in the process of sanctioning the family pension to the petitioner.

4. In reply, learned counsel for the petitioner submits that, the Legal Heir Certificate was already submitted to the first respondent by the petitioner in the month of December 2020. However, the arrears of family pension for the Month of November 2020 to February 2021 is still not paid by the respondent Corporation and therefore, the petitioner has filed this Writ Petition.

5. Considering the said submissions made by the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents, this Court is inclined to dispose of this Writ Petition with the following order:

The third respondent is directed to disburse the arrears of family pension to the petitioner for the month of November 2020 to February 2021 within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

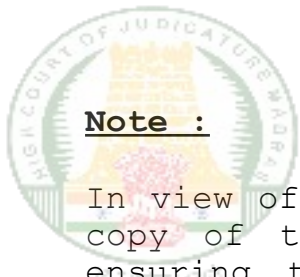
Assistant Registrar (WRITS)

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/ /2022

Sub Assistant Registrar(CS)

Vji



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Karaikudi Region.
3. The Administrator,
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Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 600 012.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-1179[F])

ORDER MADE IN
W.P (MD) No. 23180 of 2021
10.01.2022

PNK(12.03.2022) 3P 5C