



W.P(MD)No.26079 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26079 of 2022

K.Rahema

... Petitioner

Vs.

The Management,
Tamil Nadu State Transport Corporation,
Dindigul District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to call for the records relating to the award of the Labour Court passed in I.D.No.204 of 2003 dated 19.02.2010 and quash the same as illegal and consequently to direct the respondents to disburse the retirement benefit with an accrued interest to the petitioner within the period that may be stipulated by this court.

For Petitioner : Mr.S.Mohamed Suhail
for M/s.Ajmal Associates

For Respondent : Mr.S.C.Herold Singh



W.P(MD)No.26079 of 2022

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ORDER

The petitioner challenges the award dated 19.02.2010 made in I.D.No. 204 of 2003 on the file of the Labour Court, Trichirappalli.

2. The workman is not the petitioner before me. It is his wife who has challenged the award. The delay is almost 13 years. The award was passed on 19.02.2010. The demise of the workman took place only on 03.03.2013 ie., after a gap of three years.

3. In these circumstances, I am not inclined to entertain the challenge to the award. However, the other reliefs sought for by the petitioner deserve to be considered. The petitioner is permitted to submit a proper representation to the respondents as regards the disbursement of other reliefs to which the deceased workman might have been eligible. If such a representation is submitted, the competent authority of the respondent corporation shall dispose it of on merits and in accordance with law within a period of eight weeks thereafter. On such quantification, the same shall be disbursed immediately and without any delay.

4. With this liberty to the petitioner for claiming benefits, the Writ Petition is disposed of. No costs.

18.11.2022

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.26079 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.26079 of 2022

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