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W.P. No.16849 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Writ Petition No.16849 of 2015

S.Jamuna Rani

W/o Late E.Samathuvanathan

... Petitioner

VS.

The General Manager (P&A)
Metropolitan Transport Corporation
Pallavan Salai
Chennai – 600 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to pass a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 06.06.2014.

For petitioner : Mr.L.Rajendran

For respondent : Mr.R.Balaji

ORDER

This Writ Petition has been filed, praying for a direction to the respondent, to consider the representation of the petitioner dated 06.06.2014.



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2.It is the case of the petitioner that her husband – Samathuvanathan worked as Record Clerk in the respondent office and he attained the age of superannuation on 30.06.2006. During the year 2005, due to the problems arose in the family, petitioner's husband started living separately and deserted his family. Thereafter, the said Samathuvanathan, suffered with illness and started living with the petitioner along with their children. During the service period of Samathuvanathan, he has not mentioned the petitioner's name as his nominee in the service records.

3.Suddenly, petitioner's husband become bedridden and could not walk without any help. Therefore, the petitioner submitted her representation dated 06.06.2014 before the respondent, to register her name as nominee in the service records of her husband. In the meantime, petitioner's husband died on 17.08.2014. Since the respondent has not taken any action on the representation of the petitioner dated 06.06.2014, she has filed the present Writ Petition.

4.The learned counsel for the petitioner would submit that the



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petitioner is the only wedded wife of Samathuvanathan and the petitioner had already sent her representation to the respondent to mention her name as nominee in the service records of her husband. But, till date, the respondent has not taken any action on the representation of the petitioner. He would further submit that it would suffice if a direction is issued to the respondent, to consider and pass orders on the representation of the petitioner dated 06.06.2014, within a time to be stipulated by this Court.

5.The learned counsel appearing for the respondent would submit that the respondent is ready and willing to consider the representation of the petitioner and sought for eight weeks time.

6.In view of the submissions made by the learned counsel on either side, this Court without expressing any opinion on the merits of the matter, passes the following directions:-

(a) Petitioner is directed to furnish the copy of the representation dated 06.06.2014 to the respondent, within a period of two weeks from the date of receipt of a copy of this order and

(b) the respondent is directed to consider and pass orders on the



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representation of the petitioner dated 06.06.2014, on merits and in accordance with law, within a period of eight weeks, thereafter.

7. With the above directions, the Writ Petition stands disposed of. No costs.

13.02.2023

Internet: Yes/No

Speaking order/Non-speaking order

Neutral citation: Yes/No

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To

The General Manager (P&A)
Metropolitan Transport Corporation
Pallavan Salai
Chennai – 600 002.



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J.NISHA BANU, J.

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ORDER MADE IN
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