



W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
W.M.P. No.384 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.04.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.25537 of 2017 &
W.M.P.No.26944 of 2017 & W.M.P.No.384 of 2019

B.Vasanthy

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Villupuram

2. The Assistant Manager,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Ponnerkarai, Kancheepuram

3. The Pension Pay Officer
Pension Pay Office,
DPI Compound, College Road,
Nungambakkam,
Chennai – 6

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to process the retirement benefits to the petitioner's husband including the pension and disburse the same to the petitioner.



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W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
W.M.P. No.384 of 2019

For Petitioner : Mr.M.K.Bhoopathy Rajan

For Respondents : Mr.M.Aswin for R1
Standing Counsel
Mr.P.Paramasivadosh for R2
Mr.T.M.Rajangam
Government Advocate for R3

ORDER

The present Writ Petition has been filed for an issuance of a Writ of Mandamus directing the respondents to process the retirement benefits to the petitioner's husband including the pension and disburse the same to the petitioner.

2. Heard Mr.M.K.Bhoopathy Rajan, learned counsel for the petitioner and Mr.M.Aswin, Standing counsel for the 1st respondent and Mr.P.Paramasivadosh, learned counsel for 2nd respondent and Mr.T.M.Rajangam, learned Government Advocate for 3rd respondent and perused the documents placed on record.

3. It is the case of the petitioner that the petitioner's husband joined employment with the 1st respondent, as a conductor, in the year 1987 and



W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
W.M.P. No.384 of 2019

he continued to work as a conductor till his retirement on 30.06.2015. During the last few years of petitioner's husband employment, he suffered a renal failure and passed away on 06.01.2016 and left behind the petitioner/wife and his mother as the legal heirs. The Tahsildar, Sriperumbudur has also issued a legal heirship certificate certifying the petitioner and her mother-in-law as the only legal heirs. The petitioner's husband had an unblemished record in service without any charge or proceedings against him. Further, the petitioner's husband has also died on 06.01.2016 and the petitioner was also not employed with any government organisation and appropriate certificate has also been issued by the concerned revenue department. The petitioner had approached the respondents claiming the pension and retirement benefits since she is a natural legal heir and sent a request letter by way of a representation on 08.02.2017 along with necessary documents, however, the respondents have not taken any steps to dispose of the said representation. Therefore, has come forward with the present Writ Petition.

4. The learned standing counsel as well as the learned Government Advocate appearing on behalf of the respondents submitted that six weeks



W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
W.M.P. No.384 of 2019

WEB COPY

time may be granted to the respondents to consider the petitioner's representation.

5. Considering the fact that the petitioner's husband was joined as a conductor in the office of the 1st respondent in the year 1987 and retired on 30.06.2015 with an unblemished record in service and died on 06.01.2016 and further, legal heir ship certificate has also been issued to the petitioner, showing her as one of the legal heir, there shall be a direction to the respondents to consider and pass appropriate orders on the representation of the petitioner dated 08.02.2017 by processing the application of the petitioner and by releasing the eligible retirement benefits without any further delay, preferably within a period of six weeks from the date of receipt of copy of a order.

In view of the above the present Writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

24.04.2023

Index : Yes/No
Internet : Yes/No
Speaking order / non speaking order
ssd



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W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
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To

1. The Managing Director,
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2. The Assistant Manager,
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W.P.No.25537 of 2017 &
W.M.P. No.26944 of 2017 &
W.M.P. No.384 of 2019

V.BHAVANI SUBBAROYAN, J.,

ssd

W.P.No.25537 of 2017 &
W.M.P.No.26944 of 2017 & W.M.P.No.384 of 2019

24.04.2023