



W.P.(MD)No.1833 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:31.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1833 of 2023

R.Geetha

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Transport (D) Department,
Fort St.George,
Chennai-600 009.

2.The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Rep.by its Managing Director,
Kumbakonam.

3.The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the maximum rate of family pension under TNSTC EPF Rules as



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Rs.67,500/- with effect from 01.01.2016 and further directing the 3rd respondent to sanction and pay family pension to the petitioner at the rate of Rs.38,850/- with effect from 20.11.2019, along with corresponding dearness allowance, together with arrears and other consequential benefits.

For Petitioner	: Mr.V.Ajay Khose for Mr.S.Arunachalam
For Respondents	: Ms.K.Christy Theboral Additional Government Pleader for R1 Mr.K.Jagadeesbalan for R2 Mr.S.C.Herold Singh for R3

ORDER

This writ petition has been filed for a direction to the respondents to revise the maximum rate of family pension under TNSTC EPF Rules as Rs.67,500/- (Rupees Sixty Seven Thousand Five Hundred only) with effect from 01.01.2016 and direct the 3rd respondent to sanction and pay family pension to the petitioner at the rate of Rs.38,850/- (Rupees Thirty Eight Thousand Eight Hundred and Fifty only) with effect from 20.11.2019, along with corresponding dearness allowance, together with



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arrears and other consequential benefits.

2. The case of the petitioner is that the petitioner is the wife of the retired deceased government employee and she has received 50% of the family pension. The maximum rate of family pension has been increased to the government employees vide G.O.Ms.No.313, Finance (Pay Cell) Department dated 25.10.2017. Hence, the petitioner has sent a representation dated 27.12.2019 to the respondents. However, the same has not been considered. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondents are directed to dispose of the representation of the petitioner, dated 27.12.2019, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the first respondent, the learned counsel appearing for the second respondent



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and the learned counsel appearing for the third respondent have no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 27.12.2019 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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NCC:Yes/No
Index:Yes/No
Internet:Yes/No
ssb



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M.DHANDAPANI,J.

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