



W.P(MD)No.8085 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8085 of 2023

R.Balasubramani

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Bye-Pass Road,
Madurai – 16.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Madurai Region,
Bye-Pass Road,
Madurai – 16.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to make necessary entries in the service records of the petitioner nominating petitioner's wife Chandra as Nominee in terms of Rule 31 of the Tamil Nadu State Transport Corporation Employees Pension Fund Rules.



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For Petitioner : Mr.S.Govindan

For Respondents : Mr.S.Ramachandra Pradeep
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. After the writ petition was filed, the petitioner R.Balasubramani had passed away. This Court therefore *suo motu* impleaded B.Chandra as writ petitioner. The original petitioner R.Balasubramani was appointed as Driver in the respondent Corporation on 29.04.1993. He has averred in the affidavit that his marriage was solemnized with one Chandra on 13.04.2014. However, entries to that effect were not made in the service register. Therefore, this present writ petition came to be filed.

3. The matter was taken up for admission on 11.04.2023 but R.Balasubramani had passed away on 07.04.2023 itself. I therefore called upon the petitioner to obtain legal heir certificate. The matter was adjourned for that purpose.

4. Today, when the matter was taken up for hearing, the learned counsel for the petitioner produced certificate dated 08.05.2023 issued by the Tahsildar,



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Aundipatti reflecting the name of D.Chandra as the wife of the deceased. The second respondent shall take the same into account.

5. The petitioner is permitted to make a representation to the second respondent. The second respondent will hold an enquiry. The second respondent take into account all the relevant aspects. If the second respondent is satisfied that during his life time R.Balasubramani had made a request for entering D.Chandra as nominee or that they were husband and wife, then appropriate order shall be passed in favour of D.Chandra. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of accordingly. There shall be no order as to costs.

26.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
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G.R.SWAMINATHAN, J.

MGA

2.The General Manager,
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