



W.P.(MD)No.12750 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 04.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.(MD)No.12750 of 2020**

Bhagavathy

: Petitioner

Vs.

1.The Deputy Manager  
State Express Transport Corporation,  
No.2, Pallavan Salai,  
Chennai-600 002.

2.The Branch Manager  
State Express Transport Corporation,  
Tirunelveli Depot,  
Tirunelveli District.

3.Jeyalakshmi

4.Lakshmi

5.Rani

: Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India  
praying for issuance of Writ of Mandamus, to direct the 1st and 2nd



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respondents to disburse the death cum retirement benefit with all other attending monetary benefits with interest including family pension of the petitioners husband late A.Kasinathan (Batch No.3009) employed at the office of the 2nd respondent as driver to the petitioner.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.K.Karunanithi - for R4 & R5  
Mr.K.Senthil Kumar - for R1 & R2

Tapal Returned - for R3

### **ORDER**

This writ petition has been filed to direct the 1st and 2nd respondents to disburse the death cum retirement benefit with all other attending monetary benefits with interest including family pension of the petitioners husband late A.Kasinathan (Batch No.3009) employed at the office of the 2nd respondent as driver to the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner is the wife of one Late.Kasinathan and her marriage was



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arranged by elders of both families and solemnized at Kannanur, Usilampatti Taluk, in the year 1979 and they were blessed with one son and daughter. The petitioner's husband joined service in the second respondent office on 01.11.1981 as a Driver. After serving in the second respondent office for 26 years, the petitioner husband had passed away on 02.11.2007. However, till date, the retirement benefits was not settled in favour of the petitioner on the ground that the private respondents claiming to be the legal heirs of the petitioner's husband. However, even then, the first respondent has to adjudicate the issue in between the petitioner and the private respondents and without adjudication and without settling the terminal benefits, withholding the amount is not sustainable one. Hence, this Court may issue a direction to the first respondent to adjudicate the issue in between the petitioner and the private respondents and pass appropriate orders by considering the petitioner's request and conclude the proceedings, within the time limit as fixed by this Court.

3. The learned counsel appearing for the private respondents would submit that the private respondents may be given an opportunity



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before concluding the adjudication proceedings in between the petitioner and the private respondents.

4. Considering the limited request made by the learned counsel for the petitioner, this Court directs the first respondent to consider and conclude the adjudication proceedings in between the petitioner and the private respondents and pass appropriate orders on merits and in accordance with law, after providing an opportunity to the private respondents and disburse the retirement benefits including family pension, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

**04.01.2023**

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

RM

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**M.DHANDAPANI, J.**

RM

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