



W.P.(MD).No.17266 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.17266 of 2023

J.Sujatha

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region, Trichy.

3.The Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Represented by its Administrator,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay all the death cum terminal benefits of the petitioner's husband Late



W.P.(MD).No.17266 of 2023

D.Jaisankar payable to her including Provident Fund, Gratuity, Earned Leave Salary, Social Security Amount, Post Retirement Benefits Scheme Amount, Refund of Contribution made by her husband to the Medical, Engineering, Polytechnic Colleges and Institute of Road Transport and Family Pension with arrears together with interest at the rate of 18% per annum from the date of death of her husband to till the date of actual payment to her.

For Petitioner : Mr.A.Rahul
For R-1 & R-2 : Mr.K.Ramaiah
Standing Counsel
For R-3 : Mr.S.C.Herold Singh

ORDER

The present writ petition has been filed seeking direction to the respondents to pay all the death cum terminal benefits of the petitioner's husband, Late D.Jaisankar payable to her including Provident Fund, Gratuity, Earned Leave Salary, Social Security Amount, Post Retirement Benefits Scheme Amount, Refund of Contribution made by her husband to the Medical, Engineering, Polytechnic Colleges and Institute of Road Transport and Family Pension with arrears together with interest at the rate of 18% per annum from the date of death of her husband to till the date of actual payment to her.



W.P.(MD).No.17266 of 2023

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's husband one Mr.D.Jaisankar joined the service of the first respondent Corporation as Driver with effect from 26.07.1997. He was confirmed in service with effect from 12.08.1999. While in service, he met with an accident and thereafter, he was given with an alternative employment as Helper with effect from 27.05.2015. Having served for about 26 years on the respondent Corporation, while in service, he passed away on 19.05.2023. The petitioner's husband is survived by the petitioner, his daughter Kaviya, Pradeepa and Agalya. So far the petitioner has not received any terminal benefits of her husband including Provident Fund, Gratuity, Earned Leave Salary, Social Security Scheme Amount, IRT Amount and Family Pension. Hence, this writ petition came to be filed.

4. Despite several representation made to the respondents in person, the respondent Corporation has failed to settle the terminal benefits. Lastly, the petitioner made a representation on 06.07.2023.



W.P.(MD).No.17266 of 2023

WEB COPY

5. This Court is inclined to direct the respondents to pay all the death cum terminal benefits of petitioner's husband late D.Jaisankar payable to the petitioner including Provident Fund, Gratuity, Earned Leave Salary, Social Security Amount, Post Retirement Benefit Scheme Amount, Refund of contribution made by her husband to the Medical, Engineering, Polytechnic Colleges and Institute of Road Transport and Family Pension with arrears together with interest at the rate of 6% per annum from the date of death of her husband till the date of actual payment to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order.

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

18.07.2023

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



W.P.(MD).No.17266 of 2023

WEB COPY

- To
- 1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.
 - 2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region, Trichy.
 - 3.The Administrator,
The Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-2.



WEB COPY



W.P.(MD).No.17266 of 2023

L.VICTORIA GOWRI, J.

BTR

W.P.(MD).No.17266 of 2023

18.07.2023