



W.P(MD)No.26828 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26828 of 2023

P.Pushpam

... Petitioner

Vs.

1.The Management of
State Express Transport Corporation (Tamil Nadu)
Limited,
Represented by its Managing Director,
Pallavan Salai,
Chennai-2.

2.The Administrator,
Tamil Nadu State Transport Employees' Pension
Fund Trust,
Thiruvalluvar Illam,
Anna 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 the petitioner and settle the terminal and pension benefits payable for the services of her husband/deceased employee R.Balasubramanian, Staff No.3661, namely Employees Provident Fund, Gratuity, Arrears of Pension payable to him for the period from June 2012 to August 2017 and Arrears of Family Pension



W.P(MD)No.26828 of 2023

payable to her for the period from September 2017 to February 2022 and all other benefits, together with 18% per annum.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by the wife of a deceased employee of the respondent Transport Corporation, who had attained superannuation on 31.05.2012 seeking a Mandamus for disbursal of arrears of family pension and retirement benefits. The employee had passed away on 20.08.2017.

2. According to the learned Standing Counsel appearing for the respondent Corporation, the employee had not repaid the PF loan amount and therefore, the retirement benefits have not yet been disbursed. The learned Counsel appearing for the petitioner, on instructions, submits that the said amount may be retained and the balance amount of the arrears of family pension and retirement benefits may be disbursed.



W.P(MD)No.26828 of 2023

WEB COPY

3. In view of the above said facts, the respondent Corporation is at liberty to retain the amount which was un-paid by the employee to the EPF loan amount. The rest of the amount including the pension, arrears of family pension and retirement benefits shall be disbursed by the respondent Corporation with 6% interest from the due date within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this writ petition stands disposed of.
There shall be no order as to costs.

06.12.2023

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

To

1.The Managing Director,
The Management of
State Express Transport Corporation (Tamil Nadu)
Limited,
Pallavan Salai,
Chennai-2.



W.P(MD)No.26828 of 2023

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



WEB COPY



W.P(MD)No.26828 of 2023

R.VIJAYAKUMAR, J.

BTR

W.P(MD)No.26828 of 2023

06.12.2023