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W.P.No.1392 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1392 of 2024

T.Gowri

...Petitioner

-Vs-

1. The Tamil Nadu State Transport Corporation,
represented by its Managing Director,
Villupuram,
Villupuram-605 602.

2. The Branch Manager,
Tamil Nadu State Transport Corporation,
Kallakurichi-606 202.
Kallakurichi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the death-cum-service benefits including pension, Gratuity, Provident Fund, etc., due to the petitioner's husband late T.Thirumurgan (DR.No.3624) who died on 21.02.2023, by considering the petitioner's representation dated 23.08.2023.

For Petitioner : Mr.N.Manoharan

For R1 and R2 : Mr.R.Venkatesa Perumal
Standing Counsel



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ORDER

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This writ petition has been filed for direction directing the respondents to disburse the death-cum-service benefits including pension, Gratuity, Provident Fund, etc., due to the petitioner's husband late T.Thirumurgan (DR.No.3624) who died on 21.02.2023, by considering the petitioner's representation dated 23.08.2023.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner is the wife of one T.Thirumurugan, who died on 21.02.2023, while he was working as Senior Grade Driver. The petitioner got married to him on 30.04.2006 and they gave birth to two sons. After his demise, the petitioner was issued with legal heirship certificate. Thereafter, the petitioner approached the respondents to settle the service benefits of her deceased husband. However, it was not considered so far, on the ground that when her husband was alive, he had live-in relationship with one Chandra. However, they had no issues and they got separated in the year 2009 itself, due to certain issues. In fact, her husband also filed a divorce petition in



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H.M.O.P.No.38 of 2021, on the file of the Additional Sub Court, Kallakurichi.

It was decreed by the Judgment and Decree dated 06.01.2022. Therefore, the prior live-in relationship between the petitioner's husband and the said Chandra came to an end. Therefore, the petitioner submitted a representation to disburse the terminal benefits of her deceased husband.

4. Considering the above facts and circumstances of the case, the respondents are directed to consider the request made by the petitioner and also on verification of documents, disburse the death-cum-service benefits of her deceased husband, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that if the rival claimant is there, she may be given an opportunity to submit the documents if any and thereafter, pass orders on merits and in accordance with law.

5. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

23.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation,
Villupuram,
Villupuram-605 602.
2. The Branch Manager,
Tamil Nadu State Transport Corporation,
Kallakurichi-606 202.
Kallakurichi District.

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23.01.2024