



W.P.No.2146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM:

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

W.P.No.2146 of 2024

Anjalai

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram Division,
Villupuram Town and Taluk,
Villupuram District.

2. The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Cuddalore Zone,
Cuddalore Town and Taluk,
Cuddalore District.

3. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Virudhachalam Depot-2,
Virudhachalam Town and Taluk,
Cuddalore District – 606 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the second respondent vide impugned order dated 28.11.2023 quash the same and consequently direct the first respondent to release the remaining 50% of monetary benefits including family pension for the service rendered by the petitioner's husband (Late Ramasamy) within stipulated period.



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respondents. This Court, by an order dated 10.03.2022 directed the respondents to conduct enquiry on the representation submitted by the petitioner and after affording opportunity to the petitioner as well as the counter party, pass orders on merits, within a period of twelve weeks from the date of receipt of a copy of the order.

4. The learned Standing Counsel appearing for the respondent would submit that though the respondents issued notice to the petitioner and the said Amudha. The said Amudha did not turn up for enquiry. Therefore, the petitioner was disbursed with 50% of death-cum-retirement benefits and for the remaining 50%, she was asked to produce succession certificate.

5. Admittedly, the said rival claimant Amudha did not appear for enquiry and did not make any objections before the respondents for disbursement of death-cum-terminal benefits in favour of the petitioner. Though this Court subsequently directed the respondents to conduct enquiry on the representation of the petitioner after giving opportunity of hearing to the rival claimant, the respondents did not pass any orders so far. The rival claimant also failed to appear for enquiry. In fact, the petitioner was disbursed with 50% of monetary benefits such as Rs.4,64,738/- as Gratuity Amount, Rs.6,55,886/- as EPF



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Amount, Rs.1,99,054/- as Leave salaries and Rs.4,047/- as Bonus amount.

However, the respondents had not disbursed the remaining 50% of benefits and the petitioner was directed to produce succession certificate for disbursal of the same.

6. In view of the above, the impugned order cannot be sustained and is liable to be quashed. Accordingly, the impugned order dated 28.11.2023 passed by the second respondent, is hereby quashed. The respondents are directed to disburse the remaining 50% of death-cum-retirement benefits of the petitioner's husband and arrears of family pension to the petitioner, forthwith.

7. Accordingly, this writ petition is allowed. There shall be no order as to costs.

26.02.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To



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G.K.ILANTHIRAIYAN. J,

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