



WEB COPY



W.P.No.2376 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM:

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

W.P.No.2376 of 2024

1. M.Velmurugan
2. Radha

... Petitioners

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd,
37, Mettupalayam Road,
Coimbatore-43.

2. The General Manager,
Tamil Nadu State Transport Corporation Ltd,
Erode Region, Chennimalai Road,
Erode-638 001.

... 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 settle the terminal benefits of the petitioners' brother of Provident Fund, Gratuity, Encashment of Earned Leave and Surrender Leave and Death Welfare Fund and other benefits at the rate of 12% per annum, within a specified time as may be fixed by this Hon'ble Court.

For Petitioners : Mr.N.Palani Kumar

For R1 : Mr.C.Gowthamraj, Standing Counsel
For R2 : Mr.Murali Vinoth, Standing Counsel



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ORDER

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This writ petition has been filed for direction directing the respondents to settle the terminal benefits of the petitioners' brother of Provident Fund, Gratuity, Encashment of Earned Leave and Surrender Leave and Death Welfare Fund and other benefits at the rate of 12% per annum, within a specified time as may be fixed by this Hon'ble Court.

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

3. The petitioners' brother was appointed as Driver in the respondent Corporation and died when he was in service. He was unmarried and he had taken care of the petitioner and other family members. After the demise of him, his mother was his legal heir and she made application with relevant documents seeking terminal benefits of her deceased son. Pending said application, the petitioners' mother also died on 17.12.2017. Now, the petitioners are the legal heirs of their deceased brother. Therefore, the petitioners submitted representation seeking terminal benefits of their deceased brother. It is pending for consideration. The petitioners also produced the legal heirship certificate of their brother.



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4. Considering the above facts and circumstances of the case, the respondents are directed to disburse the terminal benefits to the petitioners of their deceased brother, with applicable interest, after verifying the legal heirship certificate, within a period of four weeks from the date of receipt of a copy of this order.

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

05.02.2024
($\frac{1}{2}$)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J,



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mn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd,
37, Mettupalayam Road,
Coimbatore-43.
2. The General Manager,
Tamil Nadu State Transport Corporation Ltd,
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