



W.P.No.4196 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM:

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

W.P.No.4196 of 2024

S.Mohamed Ismail

..... Petitioner

Vs

1. M/s.State Express Transport Corporation,
rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

2. M/s.Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Rep. by its Administrator,
No.2, Pallavan Salai,
Chennai – 600 002.

..... 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 enter the name of the petitioner's second wife Tmt.M.Salma Beevi in the place of late Tmt.Moideen Fathima, the petitioner's first wife in the service records of the petitioner and re-issue the bus pass entering the petitioner's second wife name as Tmt.M.Salma Beevi, by considering the representation of the petitioner dated 01.11.2022 and 12.02.2024.



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For Petitioner : Mr.D.Soundar Raj

For R1 : Mr.L.S.M.Hassan Fizal
Standing Counsel

For R2 : Mr.C.S.K.Sathish

ORDER

This Writ Petition has been filed for a direction directing the respondents to enter the name of the petitioner's second wife in the place of the deceased first wife in the service register as nominee to receive family pension after life time of the petitioner.

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

3. The petitioner had joined as Driver in the first respondent Corporation and retired from service on 31.05.2014 on attaining the age of superannuation and he received pension. While being so, his first wife died on 04.08.2019. Immediately, on 15.01.2020, he had married another woman Salma Beevi. It is also seen that she is none other than the former wife of Shabik Mohammed Gani.



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4. Therefore, it is crystal clear that only to get family pension. The petitioner got marriage for the second time that too immediately after the demise of his first wife. At the time of his second marriage, he was aged about 66 years. Therefore, the claim of the petitioner cannot be considered. Thus, the writ petition is devoid of merits and it is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. No costs.

21.02.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

To

1. The Managing Director,
M/s.State Express Transport Corporation,
No.2, Pallavan Salai,
Chennai – 600 002.

2. The Administrator
M/s.Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
No.2, Pallavan Salai, Chennai – 600 002.



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G.K.ILANTHIRAIYAN. J,

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