



WEB COPY



W.P.No. 19371 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19371 of 2024

M.Sekar

....

Petitioner

Vs

1. Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Rep. by its Managing Director,
3/137, Salamedu,
Villupuram – 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thiruvannamalai Region,
Thiruvannamalai.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay him all the death, retirement and other service benefits such as Gratuity, PF, Earned Leave Salary payable on the date of death, earned leave salary surrendered during the service, the amounts payable under the CPS Scheme, Family Benefits Fund Scheme, Social Security Scheme and Post Retirement Benefit Fund Scheme, the IRT Contributions, etc., which are payable to the petitioner's deceased brother M.Poongan, CR



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65865, Senior Conductor and which are in turn payable to his deceased mother M.Lakshmi which in turn are liable to be paid to the petitioner, based on his representations dated 04.10.2021 and 15.09.2022 along with death certificates, legal heir certificates, no objection certificate from his brother and two sisters and the letters and orders received from the office of the respondents, with interest at the rate of 12% per annum.

For Petitioner : Mrs.V.Porkodi
for Mr.R.Krishnaswamy

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

ORDER

This Writ Petition has been filed for direction directing the respondents to pay all terminal benefits and other service benefits of the petitioner's deceased brother.

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

3. The petitioner's brother, while he was in service as Senior Conductor, died on 02.05.2021 due to COVID. He died as a bachelor and as such all the monetary benefits and death benefits are payable in favour of the petitioner's mother. In fact, she was paid the amount under



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the Family Benefit Fund for a sum of Rs.2,92,000/- and funeral expenses.

Unfortunately, the mother of the petitioner also died on 18.06.2021 without receiving remaining terminal benefits and other benefits of her deceased son. The petitioner, being the brother of the deceased, is entitled to receive all the terminal benefits and service benefits of the deceased brother under Class-II legal heirs.

4. In view of the above, the respondents are directed to disburse all the terminal benefits and service benefits to the petitioner, on the demise of his deceased brother viz., M.Poongan, who died as Senior Conductor, on verification of all the documents, with applicable interest within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

11.07.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

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