



W.P.No.29818 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.Chandiramathi
2.Kavitha
3.Minor Mouliesh
4.Minor Dilip
(Minor petitioners 3 and 4 are represented
through their mother and next friend,
the 2nd petitioner herein)
5.Leelavathi
6.Minor Dhinakar
(Minor 6th petitioner is represented
through his mother and next friend,
the 5th petitioner herein)

.. Petitioners

Vs.

1.General Manager
Tamil Nadu State Transport Corporation
(Kovai) Ltd., Coimbatore
Erode Region, Chennimalai Road
Erode – 638 001.



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2.Branch Manager
Tamil Nadu State Transport Corporation
(Kovai) Ltd., Coimbatore
Erode Region, Perundurai Branch
Erode District.

.. **Respondents**

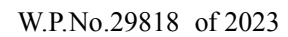
Prayer: Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order Pa.No.1195/Na4/Nalam/Tha A Po Ka/Co/E Ma/19 dated 29.03.2019 issued by the 1st respondent and quash the same and consequentially directing the respondents to pay all the monetary and other benefits to the 2nd respondent due on the death of Suresh Kumar who was working as Driver with Staff No.09DR2C41374 in the 2nd respondent branch of the 1st respondent Transport Corporation.

For the Petitioner : Mr.J.Titus Enock

For the Respondents : Mr.M.Murali Vinoth
Standing Counsel

ORDER

This Writ Petition is filed, challenging the impugned order dated 29.03.2019, in and by which, the petitioners were directed to approach the appropriate Court and get an order with reference to their entitlement of the



2. The learned counsel appearing on behalf of the petitioners would submit that the 1st petitioner is the mother, the 2nd petitioner is the legally wedded wife, petitioners 3, 4 and 6 are the children and the 5th petitioner is the second wife of the deceased employee. However, there is no dispute among the petitioners and all of them agree that as per the nominations made by the deceased employee, benefits be handed over to the 2nd petitioner - Kavitha. They have already submitted an undertaking before the respondents and they will execute such undertaking if necessary also.

3. *Mr.M.Murali Vinoth*, learned Standing Counsel appearing on behalf of the respondents would submit that earlier there was a dispute between the petitioners and therefore, the amount was withheld.

4. Be that as it may, now there is no dispute between the petitioners.



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When the said Suresh Kumar was a regular employee of the respondent – Corporation, Bearing Staff No.09DR2C41374 and when he died while in service, the death benefits and all other service benefits payable to the legal heirs shall be handed over to the 2nd petitioner - Kavitha and all other writ petitioners have no objection whatsoever for such handing over. Similarly, family pension, if any payable shall also be paid to the 2nd petitioner. The payment shall be made within a period of 12 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.

15.04.2024

Index : Yes
Neutral Citation : No
Speaking order : Yes

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To

1.The General Manager
Tamil Nadu State Transport Corporation
(Kovai) Ltd., Coimbatore
Erode Region, Chennimalai Road
Erode – 638 001.

2.The Branch Manager
Tamil Nadu State Transport Corporation
(Kovai) Ltd., Coimbatore
Erode Region, Perundurai Branch
Erode District.



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D.BHARATHA CHAKRAVARTHY, J.,

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