



WEB COPY



Writ Petition No.31701 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.31701 of 2024

S.Jacintha

W/o.Solomon

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
represented by its Managing Director,
3/137, Salamedu, Vazhuthareddy Post,
Villupuram - 605 602.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Kancheepuram Region,
Chennai - Bangalore Highway,
Ponnerikarai, Kancheepuram - 631 552.

3.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
represented by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to sanction and pay the petitioner monthly family pension from the day next to the date of death of her son S.Stalin, that is from 23.10.2020, as revised from time to time, along with arrears and interest at the rate of 12% per annum, within a specified time as may be fixed by this Court, based on her representations dated 04.12.2021 and 06.05.2023.



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For Petitioner : Mr.V.Ajoy Khose
For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish [R3]

ORDER

This writ petition has been seeking issuance of a writ of mandamus directing respondents to consider the representation made by the petitioner wherein the petitioner has sought for sanction and pay of monthly family pension from 23.10.2020 along with interest.

2. Heard Mr.V.Ajoy Khose, learned counsel for petitioner, Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned counsel appearing for third respondent.

3. The case of the petitioner is that her husband was working as a driver in the transport corporation and he died while he was in service on 25.02.1994. In view of the same, the petitioner is receiving the minimum family pension revised from time to time. The son of the petitioner was working as an Assistant in the transport corporation and



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he was due to retire only on 31.10.2034. Unfortunately, he died on 22.10.2020. The petitioner was paid the death expenses and other family benefit funds.

4. The grievance of the petitioner is that she did not receive the terminal benefits and family pension after the death of her son. The representation made by the petitioner in this regard also did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and also the materials placed before this Court and the Tamil Nadu State Transport Corporation Employees Pension Fund Rules, there shall be a direction to the third respondent to deal with the representation made by the petitioner on 06.05.2023 on its own merits and in accordance with law after considering the judgment passed by the Division Bench of this Court in ***Government of Tamil Nadu and others v. Tamil Nadu Government Transport Retired Employees Welfare Association [2008 (2) L.L.N. 216]*** and a decision shall be taken within a period of six (6) weeks from the date of receipt of a copy of this order.



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6. The petitioner is directed to make a fresh representation to the third respondent along with all relevant documents and also a copy of this order.

This writ petition is disposed of with the above direction. No costs.

25.10.2024

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu, Vazhuthareddy Post,
Villupuram - 605 602.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Kancheepuram Region,
Chennai - Bangalore Highway,
Ponnerikarai, Kancheepuram - 631 552.

3.The Administrator,
Tamil Nadu State Transport Corporations



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