



W.P.No.35261 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2024

CORAM:

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

W.P.No.35261 of 2023

A.Shobana

...Petitioner

-Vs-

1. TamilNadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
No.27, New Railway Station Road,
Kumbakonam.

2. The General Manager,
TamilNadu State Transport Corporation,
Kumbakonam Limited,
Kumbakonam- 602 101.

3. The Pay and Accounts Officer,
TamilNadu State Transport Corporation,
Kumbakonam Limited,
Kumbakonam.

4. The Employees Provident Fund Office,
Kumbakonam, TamilNadu-612 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Mandamus, directing the respondents to disburse all service benefits such as DCRG, family pension fund, commuted value of pension and the family benefit fund and all other benefits available to the petitioner on the death of her father N.Arivazhagan who died on 03.03.2022 and to sanction family pension of 3/4th share for petitioner and her sister namely and to petitioner's paternal grand-mother.

For Petitioner : Mrs.P.Mahalakshmi

For Respondents : Mrs.Sathya Gandhi,
Standing Counsel

ORDER

This Writ Petition has been filed for direction, directing the respondents to disburse all service benefits such as DCRG, family pension fund, commuted value of pension and the family benefit fund and all other benefits on the demise of the father of this petitioner.

2. Heard, the learned counsels appearing on either side.

3. The father of the petitioner was working as Conductor under the 2nd respondent. While he was in service, he died on 03.03.2022 due to intra-ventricular hemorrhage. However, during his life time, his wife deserted the father of the petitioner and the children including the petitioner herein. In fact, on the complaint lodged by the petitioner and her sister as against her mother, which is pending for investigation in Crime No.5 of 2023 registered for the offences under section 294(b), 323,



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506(ii) of IPC and Section 8 r/w.act 7 of POCSO Act, 2012. However, so far the respondents did not disburse any terminal benefits of the petitioner's father.

4. Therefore, the respondents are directed to disburse all service benefits of deceased i.e., father of the petitioner within a period of twelve weeks from the date of receipt of copy of this order. On disbursal, the petitioner and other family members are entitled to receive the same proportionally in accordance with their share.

5. With the above direction, this writ petition is disposed of. No order as to costs.

03.01.2024

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

gvn



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G.K.ILANTHIRAIYAN. J.

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To

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