



W.P.(MD).No.12933 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12933 of 2024

Seethalakshmi

...Petitioner

Vs

1.The Managing Director,
91, By Pass Road,
TNSTC Head Office,
Madurai – 625 010.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bypass Road, Madurai – 625 010. ...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 31.05.2024 and dispose of the same within the time stipulated by this Court.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.Gladson Michael Rajadurai
Standing Counsel



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ORDER

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Heard Mr.R.J.Karthick, learned counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 and 2 and M/s.M.Anitha, learned Standing Counsel for the 3rd respondent.

2. This Writ Petition has been for issuance of Writ of Mandamus, seeking direction against the respondents to consider the petitioner's representation dated 31.05.2024 and dispose of the same.

3. The petitioner, who is claimed to be the wife of the deceased S.Dharmaraj, who was working as a Special Staff in the Tamil Nadu Government Transport Corporation, Madurai Zone, Ponmeni Division with Employee No.AR0 1297, has filed this Writ Petition to dispose the representation dated 31.05.2024 seeking for disbursing the family pension.

4. The petitioner's husband retired on 30.11.2009 and subsequently he received pension from 01.12.2009. Subsequent to the



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death of the petitioner's husband on 08.07.2014, the petitioner has filed an application seeking family pension, so far it has not been granted.

5. Mr.Gladson Michael Rajadurai, learned Standing Counsel for the respondents submitted that there are some counter claimants who also claimed that she is the wife of the deceased Dharmaraj and hence the representation of the petitioner has not been considered.

6. So as far as the petitioner is concerned, she has to go on with the records submitted by the deceased employee in the Department. If any counter claimants come and make any claim contrary to the employees's declaration and particulars furnished by him, it is for them to agitate the same before the civil court for seeking the relief of declaration as to the status.

7. As on today, no such proceedings appears to have been taken up by any third party and no order of stay has also been obtained against the respondents. In such case, nothing would prevent the respondents to consider the claim of the representation, if the representation of the petitioner is in otherwise in order.



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8. In view of the above stated reasons, this Writ Petition is **disposed of** with a direction to the respondents to consider the petitioner's representation dated 31.05.2024 and pass orders on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

18.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Managing Director,
91, By Pass Road,
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Madurai – 625 010.
- 2.The General Manager,
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R.N.MANJULA, J.

Nsr

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