



W.P.(MD).No.20810 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20810 of 2021

Mukkammal

...Petitioner

Vs.

- 1.The Secretary,
Department of Tamilnadu Transport Corporation,
Secretariat,
Chennai.
- 2.Director of Pension,
Integrated Finance Department Office Complex 571,
Anna Salai,
Nandanam, Chennai.
- 3.The Administrator,
Tamil Nadu State Transport Corporation Employees Pension,
Fund Trust, Chennai.
- 4.The Zonal Manager,
Tamil Nadu State Transport Corporation,
Thirunelveli Zone, Thirunelveli.

... 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 09.10.2021 regarding issue of



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pension as nominated by her deceased husband during his service under the fourth respondent.

For Petitioner : Mr.V.Chandrapandi

For R-1 to R-3 : Mr.A.Kannan,
Additional Government Pleader

For R-4 : Mr.A.Raja Mohan

ORDER

Heard Mr.V.Chandrapandi, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader appearing for respondent Nos.1 to 3 and Mr.A.Raja Mohan, learned counsel appearing for the fourth respondent.

2. The present writ petition has been filed seeking direction to the respondents to consider the petitioner's representation dated 09.10.2021 regarding issue of pension as nominated by her deceased husband during his service under the fourth respondent.



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3. The petitioner's husband one Thiru Subramaniyan, who served under the fourth respondent Corporation as 'Driver', had attained the age of superannuation on 31.08.2012. During his retirement, he was also issued with pension benefits and other retirement benefits vide proceedings in Order No.TNV 2240, dated 01.09.2012 and he was receiving monthly pension of a sum of Rs.7,140/-. On 22.12.2017, he passed away. Since the petitioner is the nominee to receive the widow pension of the deceased employee Subramaniyan, she made a representation to the first and third respondents on 09.10.2021 seeking widow pension. However, the same was not considered and hence, the Writ Petition came to be filed.

4. Mr.V.Chandrapandi, learned counsel appearing for the petitioner submitted that the petitioner is the second wife of the deceased employee Thiru Subramaniyan. He had married the petitioner while his first wife was in death-bed. However, the first wife of the said employee passed away in the year 1998. Considering the fact that the petitioner has been nominated by the deceased



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employee to receive the widow pension, he pressed for allowing this Writ Petition.

5. Per contra, Mr.A.Rajamohan, learned counsel appearing for the fourth respondent would submit that the petitioner has not submitted any of the required documents including the Death Certificate of the deceased employee, the Death Certificate of the first wife of the deceased employee and the Marriage Certificate of the petitioner with that of the deceased employee and other necessary documents. In case of submission of the same, the representation could be considered.

6. In view of the rival submissions made by the respective parties, the writ petitioner is hereby directed to submit all the necessary documents as required by the respondent Corporation and on receipt of the same, the respondent Corporation is directed to consider the petitioner's representation dated 09.10.2021 and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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7. Accordingly, this Writ Petition stands disposed of. No costs.

04.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
TSG

To

- 1.The Secretary,
Department of Tamilnadu Transport Corporation,
Secretariat,
Chennai.
- 2.Directorate of Pension,
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Anna Salai,
Nandanam, Chennai.
- 3.The Administrator,
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L.VICTORIA GOWRI, J.

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