



W.P.No. 6650 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 26.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.6650 of 2025

K. Rukmani

... Petitioner

VS

1. Metropolitan Transport Corporation (Chennai) Limited,
Represented by its General Manager,
Pallavan House, Anna Salai,
Chennai 600 002.

2. Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Represented by its Administrator,
Thiruvalluvar House,
Pallavan Salai, Chennai 600 002.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Order or direction in the nature of Writ of Mandamus to direct the Respondents to pay full family pension and all other benefits to the petitioner from December, 2012 with 9% interest within the time stipulated by this Hon'ble Court.

For Petitioner : Mr. M. Aaruseela Sudhakar

For Respondents : Mr. Vinodh Raj



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ORDER

WEB COPY This Writ Petition has been filed in the nature of a mandamus seeking a direction against the respondents to pay full Family Pension and other benefits to the petitioner from December 2012 together with interest at the rate of 9% per annum.

2. The petitioner is a senior citizen of advanced age. Her husband G.Krishnamoorthy was appointed as a Blacksmith on daily wages on 01.04.1965 under the first respondent. His employment was regularised on 01.01.1967 and thereafter he retired on 28.02.1999 as a Tradesman. He was receiving his pension till his death on 21.10.2011. The petitioner, as his widow, had also produced the relevant documents and was granted pension by the second respondent from November 2011. Thereafter it was stopped in December 2012. It had not been released till this date. For the past 12 years the petitioner has been running from pillar to post.

3. It was claimed by the respondents that in the Service Records of the petitioner's husband, the name of another lady called Vijaya was also mentioned and that unless her objections are heard, the family pension could not be released to the petitioner herein.



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WEB COPY 4. The petitioner filed a Writ Petition in W.P. No.42742 of 2016.

This Court, by an order dated 16.12.2016, issued a direction to the respondents to pass orders within a period of ten weeks. Since the same was not complied with, the petitioner filed a Contempt Petition in Cont.P. No.1099 of 2018, in which an interim order was passed directing the respondents to pay 50% of the pension from December 2012 to the petitioner. The petitioner was then directed to obtain a Civil decree from the Civil Court declaring her status as a lawfully wedded wife of her husband.

5. The petitioner filed a suit in O.S.No.3381/2024 and the learned III Assistant Judge, City Civil Court, Chennai, had decreed the said suit by a judgment dated 12.12.2024, in effect declaring that the petitioner herein is the lawful wife of G.Krishnamoorthy and that she is entitled for all the monetary benefits which had accrued to her in her capacity as widow of G.Krishnamoorthy. The second respondent is duty bound to comply with the direction in the said decree.

6. A direction is given that the second respondent should disburse all the pending arrears payable to the petitioner with all monetary benefits



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together with revision of pay and revision of pension on or before

28.03.2025. Naturally, the petitioner is also entitled for interest at the rate

of 6% per annum for the delayed payment.

7. With the above directions, the Writ Petition stands allowed. No costs.

26.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

Bga

To

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C.V. KARTHIKEYAN, J.



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