

W.P.(MD) No.6612 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 29.07.2025

Pronounced On : 28.08.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.6612 of 2017

M.Alamelu,
W/o.Late P.Marriappan,
Checking Inspector
TNSTD Staff No.4665,
TNSETC Staff No.A3008,
Checking Inspector (Retd),
26A, Nellaiappapuram, Thirunagar,
Madurai- 625 006.

... Petitioner

Vs.

1. The Secretary,
Transport Department,
Secretariat,
Fort St. George,
Chennai- 600 009.

2.The Account General (A8bE),
Office of the Account General,
D.M.S.Nandanam,
Chennai- 18

3. The General Manager,
Tamil Nadu State Express Transport Corporation,
Pallavan Illam,
Pallavan Salai,
Chennai- 600 002.

... Respondents



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PRAYER:

WEB COPY To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Order dated 23.05.2016 in Letter No. 9070/C4/SETCTN/2015 on the file of 3rd respondent and to quash the same and consequently direct the respondents to sanction pension, pension benefits to the petitioner with effect from 01.04.1982 as per G.O.Ms.No 42 dated 27.05.2005 and G.O.Ms.No.96 dated 31.07.2015 in direct the 2nd Respondent to pay appropriate pension, pension benefits for the service rendered by the petitioner husband by name Late Marriappan in the erstwhile Tamilnadu State Transport Department from 1967 to 1975 and direct the 3rd Respondent to pay pension from 1975 to 2002.

APPEARANCE OF PARTIES:

For Petitioner : Mr. S.Arunachalam, Advocate

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1

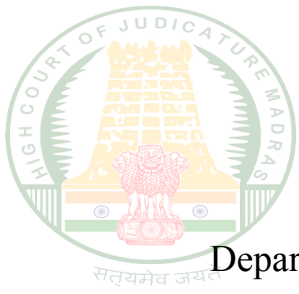
: Mr.P.Gunasekara, Advocate for R2

: Mr.K.Sathiya Singh, Standing Counsel for R3

J U D G M E N T

Heard.

2. The Petitioner is the wife of late P. Mariappan, who was initially employed as a Conductor in the Government-owned Transport



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Department and was subsequently absorbed into the Pallavan Transport Corporation, a State-owned undertaking. Her husband passed away on 03.06.2002. After a lapse of 15 years from his demise, the Petitioner has approached this Court seeking pensionary benefits for the period of Government service rendered by him. In support of her claim, reliance has been placed on the judgment of the Hon'ble Supreme Court in ***Government of Tamil Nadu & Ors. v. M. Ananchu Asari & Ors.***, reported in (2003) 10 SCC 503, wherein the cut-off date for entitlement to pension was fixed as 01.04.1982.

3. The writ petition was admitted on 12.04.2017, and pursuant to notice issued by this Court, the 3rd Respondent filed a counter affidavit dated 17.08.2017. In paragraph 9 of the counter, the qualifying service of the deceased employee was calculated for the period from 01.02.1970 to 31.03.1982, in line with the principles laid down in ***Ananchu Asari's*** case (supra). The said calculation showed that the total qualifying service amounted to 7 years, 3 months, and 3 days. In paragraph 10 of the counter affidavit, it was further averred as follows:—

“10. I submit that the petitioner's husband Thiru. P.Mariappan is not eligible sanction for sanction of Government pension with reference to G.O.Ms.No. 96



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Transport (RW1) Department, dated 31/07/2015 as the ex-employee has got only less than 10 years of net qualifying service as on 31/03/1982. Further the name mentioned in the petition as Thiru.Thamburan who opted to OSSR is entirely difference one and not similar to this case.”

4. In light of the foregoing discussion, this Court is of the considered view that the Petitioner has not made out a sustainable case. Consequently, the writ petition stands dismissed. However, there shall be no order as to costs.

28.08.2025

Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No
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Copy to:

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Chennai- 18.
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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
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