

W.P.(MD) No.21747 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 06.08.2025

Pronounced On : 11.09.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.21747 of 2017

and

W.M.P.(MD)No.18035 of 2017

Lakshmi (Aged about 67 Years)

W/o. P. Bose,

No. 347, Katchirayanpatti,

Melur Taluk,

Madurai District.

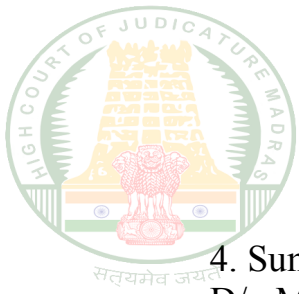
... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Ltd,
Madurai Division,
Bye-Pass Road,
Madurai.

2) The General Manager,
Tamilnadu State Transport Corporation,
Madurai Region,
Bye-Pass Road,
Madurai.

3.Bhuvaneswari,
W/o. Manimaran (Late),
D/o. Kannan,
No.5 Brammaputra Street,
Anbunagar, Thirupalai,
Madurai.



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4. Sumitha (aged about 4 years),
D/o.Manimaran (Late),
Represented by her mother
Bhuvaneswari, No.5, Brammaputra Street,
Anbunagar, Thirupalai, Madurai.

5. Athipan (aged about 2 Years).
S/o.Manimaran (Late),
Represented by h/S mother
Bhuvaneswari, No.5, Brammaputra Street,
Anbunagar, Thirupalai, Madurai.

6. Bose,
S/o.Balusamy,
No.347, Katchirayanpatti, Melur Taluk,
Madurai District.
(R4 to R6 impleaded vide Court order dated
14.12.2017 in WMP(MD)No.19237 of 2017)

... Respondents

PRAYER in W.P.:

To issue a writ of Mandamus to direct the respondents No. 1 & 2 to disburse the death benefits and service benefits of the petitioner's deceased son Manimaran to all the legal heirs by considering the representation dated 10.10.2017 within the period that may be stipulated by this Hon'ble Court and may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER in WMP:

To grant an ad-interim injunction restraining the respondent No.1 & 2 from any way disbursing the death benefits and service benefits to the 3rd respondent or her father without the concurrence of the other legal heirs who are entitled to receive the benefits, pending disposal of the above writ petition.



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For Petitioner : Mr.P.Rajesh Kanna, Advocate
for Mr.J.Karthikeyan, Advocate

For Respondents : Mr.J.Senthil Kumaraiah, Advocate
for R1 & R2

: Mr.N.Ga.Nataraj, Advocate
for R3 to R5

J U D G M E N T

Heard.

2. This case concerns a typical dispute between the mother-in-law (the writ petitioner) and her daughter-in-law along with her children (respondents 3 to 5). The petitioner contended that she and her husband were suffering, and after the death of their son, all the available amounts were taken away by the contesting respondents. When the writ petition was listed on 14.12.2017, notice was accepted by the standing counsel for the corporation, and notices were ordered to be issued to the other respondents.



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3. Upon notice, the learned counsel for the respondents informed this Court that the 3rd respondent, along with her two children, had already approached this Court by filing another writ petition, W.P.(MD) No. 22520 of 2019, which was finally disposed of on 05.01.2023. In that writ petition, the present petitioner was arrayed as the 3rd respondent. After hearing both sides, this Court passed the following order:

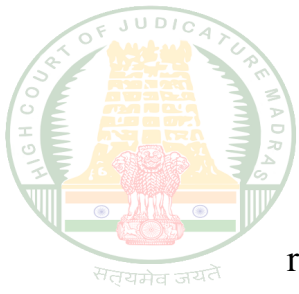
“4. The 3rd respondent being the mother of the deceased employee is entitled to the terminal benefits along with the other legal heirs. As far as the pension is concerned, the 1st petitioner being the wife of the deceased employee, is alone entitled to the pension. Moreover the 1st petitioner name has been entered as nominee in the service book of the deceased employee. Hence, the 1st petitioner alone is entitled to pension apart from the terminal benefits.

5. Therefore, this Court is passing the following order:

(i)The respondents 1 & 2 are directed to disburse the terminal benefits 1/4th share to 1 to 3 petitioners and the 3rd respondent each. As far as the minor's share is concerned the same shall be deposited in a Nationalized Bank with accruing interest and the minors are entitled to withdraw on attaining majority.

(ii)As far as the pension is concerned, the 1st petitioner being the wife of deceased employee is entitled to the same. The 2nd and the 3rd petitioners are entitled to pension until their majority. The respondents are directed to pay entire pensionary benefits to the 1 to 3 petitioners alone as stated surpa.

(iii)The 1st petitioner is claiming compassionate appointment and has submitted representation, dated 27.09.2017. Since the 1st petitioner has submitted the



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representation within a period of three years, the respondents 1 & 2 are directed to consider the representation of the 1st petitioner and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of the order.”

4. Since the petitioner has already allowed the above order to attain finality, this Court cannot issue any direction contrary to that order as sought in the present writ petition. Accordingly, no case has been made out, and the writ petition stands dismissed. Consequently, the Miscellaneous Petition is closed. No costs.

11.09.2025

Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No
ay/LS

Copy to:

1.The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Ltd,
Madurai Division,
Bye-Pass Road,Madurai.

2) The General Manager,
Tamilnadu State Transport Corporation,
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DR. A.D. MARIA CLETE, J.

LS

Pre-delivery Judgment made in
W.P. (MD) No.21747 of 2017

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