



WEB COPY

WP No. 12289 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 12289 of 2026

AND

WMP NO. 13424 OF 2026

1. K.Shantha
W/o.Late.Krishnan
No.2/65,Vetter Lane
Murugesapuram
Pallavaram
Chennai-600 043
2. K.Gopi
S/o.Late.Krishnan
No.2/65, Vetter Lane
Murugesapuram
Pallavaram
Chennai-600 043
3. M.Geetha
D/o.Late.Krishnan
No.2/65, Vetter Lane
Murugesapuram
Pallavaram, Chennai-600 043

..Petitioner(s)

Vs

1. The Managing Director
Metropolitan Transport corporation
Pallavan salai
Chennai-2



2. The General Manager
Metropolitan Transport corporation
Pallavan salai
Chennai-2

3. K.Revathi
D/o.Late.Krishnan
No.49, Meenambalpuram
Dr.Natesan Road
Mylapore,
Chennai-4

4. K.Manikandan
S/o.late.Krishnan
No.49 Meenambalpuram
Dr.Natesan Road
Mylapore
chennai-4

5. K.Giri
S/o.Late.Krishnan
No.49, Meenambalpuram
Dr.Natesan Road
Mylapore
Chennai-4

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to consider the representations dated 18.12.2018 and 17.6.2025 made by the petitioner herein for disbursing the petitioners family share of terminal benefits and family pension of Late R.Krishnan who was working as Driver (Special Grade) in the 1st respondent corporation in Staff No.12324 at Adyar Depot, Chennai-20.



For Petitioner(s): Mr.T.Sundaravadanam

For Respondent(s): Mr.R.Balaji

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ORDER

This writ petition has been filed for the following relief:

“To issue a Writ of Mandamus directing the 1st respondent to consider the representations dated 18.12.2018 and 17.6.2025 made by the petitioner herein for disbursing the petitioners’ family share of terminal benefits and family pension of Late R.Krishnan who was working as Driver (Special Grade) in the 1st respondent corporation in Staff No.12324 at Adyar Depot, Chennai-20”

2. The 1st petitioner is the legally wedded wife of Late R. Krishnan, who was working as a Driver (Special Grade) in the Metropolitan Transport Corporation, Chennai (Staff No.12324) at Adyar Depot. The marriage between the 1st petitioner and the deceased was solemnized on 07.02.1975 according to Hindu rites and customs. Out of the wedlock, two children, namely K. Gopi (2nd petitioner) and M. Geetha (3rd petitioner), were born. The petitioners were residing together for a long period.



Subsequently, the husband deserted the 1st petitioner and failed to provide maintenance. Therefore, the 1st petitioner filed a maintenance suit in O.S. No.488 of 2001 before the Sub Court, Chengalpattu, which was later transferred to the District Munsif Court, Alandur and renumbered as O.S. No.518 of 2004. The suit was decreed in favour of the petitioner on 13.04.2005.

3. Pursuant to the decree, the petitioners had filed E.P. No.10 of 2007 for attachment of her husband's salary towards arrears of maintenance amounting to Rs.2,28,810/-. Though orders were passed directing attachment of salary, the same were not complied with by the 1st respondent. During this period, it came to light that the deceased was living with one Kasthuri (2nd wife) and had three children, namely Revathy, Manikandan and Giri (Respondent Nos.3 to 5). The said Kasthuri filed O.P. No.602 of 2009 claiming legal heirship, which was dismissed on 09.12.2011.

4. Subsequently, in OSA No.178 of 2018, this Court by order dated 25.06.2018 held that Kasthuri (2nd wife) is excluded from legal heirship, and only her children (respondents 3 to 5) are recognized as legal



heirs of the deceased. The deceased employee died on 30.12.2007 while in service, leaving behind about four years of service. The petitioners, being the 1st wife and her children, are entitled to their lawful share in the terminal benefits, including arrears, pension, and other service benefits of the deceased employee. The petitioners had made several representations, including on 26.11.2018, 18.12.2018, and 17.06.2025, requesting disbursement of their share of terminal benefits. However, no action has been taken by the respondents. Hence, the present writ petition.

5. Heard the learned counsels on either side and perused the materials available on record.

6. The petitioners have approached this Court seeking a writ of mandamus directing the 1st respondent to consider their representations dated 18.12.2018 and 17.06.2025. However, a perusal of the records reveals that, by communication dated 18.02.2026, the respondents had called upon the petitioner to appear before the Adyar Depot and submit the death certificate and legal heirship certificate, upon receipt of which further steps would be taken to process the application for the issuance of the terminal benefits. Without complying with the said direction, the



petitioner has rushed to this Court seeking the relief of mandamus. Further, the petitioners have not even disclosed the said communication in the affidavit filed in support of the writ petition.

7. In the above circumstances, this Court is not inclined to entertain the writ petition. Accordingly, this writ petition is dismissed. No costs. However, as and when the petitioners submit the requisite documents, the respondents shall process the application and disburse the terminal benefits to the petitioners within a period of three weeks from the date of receipt of the said documents. Consequently, connected miscellaneous petition is closed.

01-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN

To

1. The Managing Director
Metropolitan Transport corporation
Pallavan salai
Chennai-2
2. The General Manager
Metropolitan Transport corporation
Pallavan Salai, Chennai-2



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P.T.ASHA J.

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