



WEB COPY

WP No. 13670 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

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

WP No. 13670 of 2024

P.Kamsala,
W/o.Hari, No. 20a, Pillaiyar Koil Street, Oraththur
Village, Pagasalai Post, Thiruthani Taluk,
Thiruvallur District -631210.

..Petitioner(s)

Vs

1. The Dean,
Vepery Veterinary Medical College, Vepery
Highroad, Chennai -600007.
2. The Branch Manager,
Union Bank Of India, Vepery Veterinary
Medical College Branch, Vepery, High Way
Road, Chennai -600 007.
3. The Inspector Of Police,
Thiruvalangadu Police Station, Thiruvalangadu,
Thiruvallur District.
4. The Director,
Animal Husbandry And Veterinary Services,
Integrated Animal Husbandry And Fisheries
Department Office Complex, Veterinary
Hospital Compound, Nandanam,
Chennai-600035.

..Respondent(s)



PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the 1 and 2 respondents to disburse the pension money payable to the petitioner's husband Mr. Hari son of Murugesan (who went missing from 10.01.2018)

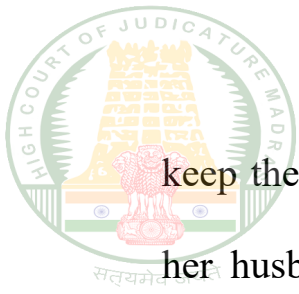
For Petitioner(s): Mr. R.Rangarajan

For Respondent(s): Mr.V.Sivalingam, Government Advocate
for R1 to R4

ORDER

The writ petition has been filed for a mandamus directing the respondent to disburse the pension amount payable to the petitioner's husband who has been missing since 10.01.2018.

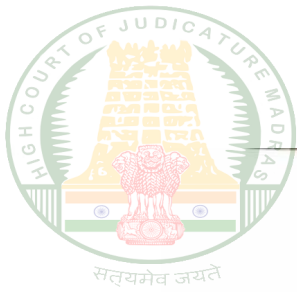
2. The petitioner's husband was employed as an Attender in the second respondent College and had retired from service in the year 2016. He left his home on 10.01.2018 and a man missing case was filed on 13.02.2018. An F.I.R has been registered in Crime No.44 of 2018 on the file of the 3rd respondent herein. The petitioner filed H.C.P.No.423 of 2022 seeking a direction to the third respondent to trace and produce her husband. The said Habeas Corpus Petition was disposed of with a direction that the Inspector of Police, Thiruvallangadu Police Station shall



keep the petitioner informed about the developments regarding tracing of her husband and that as and when he is traced he should be produced before the Judicial Magistrate Court, Thiruttani.

3. Meanwhile, the petitioner, who is in need of financial assistance, had made an application to the respondents to disburse the family pension. The respondents had orally instructed her to produce proof of her husband's death. The petitioner has stated that her husband has gone missing and despite her best efforts over the last eight years she has not been able to trace her husband and the police authorities have also remained unsuccessful in their attempts.

4. When the matter was taken up for hearing on 01.07.2026, this Court had directed the petitioner to file a suit to declare her husband dead and file an affidavit of undertaking that in the event of her husband being traced and later making any claim, she would indemnify the 1st respondent. The affidavit of undertaking has been produced and is taken on file, the scanned copy of which is reproduced herein below.



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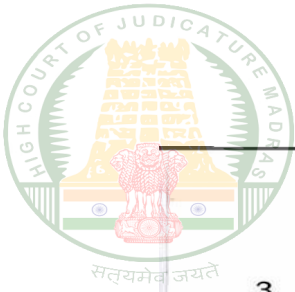


UNDERTAKING AFFIDAVIT OF PETITIONER P.KAMSALA

I, Mrs. **P.KAMSALA**, W/o.Hari, Hindu, aged about 44 years, residing at No.20A, Pillaiyar Koil Street, Oraththur Village, Pagasalai Post, Thiruthani Taluk, Thiruvallur District, temporarily come down to Chennai do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am the petitioner in this present writ petition in W.P.No. 13670 of 2024 and as such I am well acquainted with the facts of the case.
2. I submit that I am swearing and filing this undertaking affidavit to (i) inform this hon'ble court that I have undertaken to filed a civil suit for declaration before competent court for declaration declaring my husband Mr.Hari S/o. Murugesan had attained civil death, (ii)I further I undertakes to indemnify the first Respondent in the present case i.e The Dean, Vepery Veterinary Medical College, Vepery Highroad, Chennai - 600007, if the terminal benefits of missing Husband Mr.Hari s/o. Murugesan is issued to me and if the same is questioned/disputed by my missing Husband Mr.Hari.

H. Kamsala



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3. I submit that I have moved suit for declaration before District Munsif court Tiruttani to declare my husband Mr. Hari s/o. Murugesan had attained Civil Death vide the following details. O.S.(SR).NO. 57 of 2026 filed on 15/07/2026

4. I further submit that I hereby undertake to indemnify the First Respondent if the terminal benefits payable to my missing husband Mr. Hari are availed to me and thereafter the said disbursement will be questioned by my husband if he will be found alive.

It is therefore, most humbly prayed that this hon'ble court may graciously be pleased to take note of the above said facts and record the same and may pass suitable orders in W.P.No. 13670 of 2024 and thus render justice.

Solemnly affirmed at Chennai
on this the day of July 2026 and
signed his name in my presence.

H. K. K. K.
BEFORE ME
R. K. K. K.
M/S. 647/2003
ADVOCATE: CHENNAI

4. As directed by this Court, a suit in O.S.No.57 of 2026 has also been filed on the file of the District Munsif, Thiruttan m i.



5. In view of the above, this writ petition is disposed of with a direction that the petitioner shall once again resubmit her representation along with all the documents to the 1st respondent, who shall process the same and disburse the pension to her within a period of eight weeks from the date of receipt of the fresh representation from the petitioner. No costs.

21-07-2026

SRN

To

1. The Dean,
Vepery Veterinary Medical College, Vepery
Highroad, Chennai -600007.
2. The Branch Manager,
Union Bank Of India, Vepery Veterinary
Medical College Branch, Vepery, High Way
Road, Chennai -600 007.
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Thiruvalangadu Police Station, Thiruvalangadu,
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P.T.ASHA J.

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