

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.NO.20796 of 2018

Smt.Dhanammal

Vs

....

Petitioner

1. The Director General  
Indo Tibetan Border Police Force  
Block II, C.G.O.Complex  
Lodhi Road, New Delhi - 110 003.
2. The Commandant  
52<sup>nd</sup> Battalion, Indo Tibetan Border Police Force  
Pratap Nagar Post, New Amritsar, Punjab-143 001.
3. Smt.G.Pavithra

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 23.05.2018 sent for disbursement of the death benefits payable to the petitioner and to the third respondent equally on account of death of the petitioner's son J.Gopinath (Personal No.08041107 ex-CT/GD), the service under the I.T.B.P.Force, 52<sup>nd</sup> Battalion.

For Petitioner : Mr.R.Thanjan

For Respondents : Mrs.R.Janaki,  
Addl.Govt.Pleader

O R D E R

This writ petition has been filed seeking direction to the respondents 1 and 2 to consider the petitioner's representation dated 23.05.2018 sent for disbursement of the death benefits payable to the petitioner and to the third respondent equally on account of death of the petitioner's son J.Gopinath (Personal No.08041107 ex-CT/GD), who was serving the I.T.B.P.Force, 52<sup>nd</sup> Battalion.

2. Petitioner herein is the mother of the deceased

J.Gopinath, who was serving the Indo Tibetan Border Police Force. She has sought for disbursement of the death benefits payable to the legal representatives of the deceased ie., the petitioner and the third respondent. The claim of the petitioner is that she, as the mother of the deceased Gopinath, is also entitled to the benefits after the death of her son, but the respondents have credited the amounts only to the wife of the deceased Gopinath, the third respondent herein. Hence, the petitioner has submitted a representation dated 23.05.2018 to the respondents.

3. Learned counsel for the respondent has given assurance to this Court that the representation submitted by the petitioner dated 23.05.2018 would be duly considered in accordance with law.

4. Having regard to the limited prayer, even without issuing notice to the third respondent, the second respondent is directed to consider the representation of the petitioner dated 23.05.2018 within a period of eight weeks from the date of receipt of a copy of this order and to pass appropriate orders in the light of the facts and circumstances and also in accordance with law.

4. With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

kst

To

1. The Director General  
Indo Tibetan Border Police Force  
Block II, C.G.O.Complex  
Lodhi Road, New Delhi - 110 003.
2. The Commandant  
52<sup>nd</sup> Battalion, Indo Tibetan Border Police Force  
Pratap Nagar Post, New Amritsar, Punjab-143 001.

+1cc to Mr.R.Thanjan, Advocate, S.R.No. 55900

W.P.No.20796 of 2018

BR(CO)  
GN(07/09/2018)