



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WEB COPY

Writ Petition (MD)No.14767 of 2016

1.P.Murugaboopathy
2.P.Jaisankar
3.P.Engalskannan
4.P.Padmini
5.P.Lalitha

... Petitioners

Vs.

1.The Secretary,
Department of Home,
Ministry of Home Affairs,
New Delhi 110 001.

2.The Director General,
Central Reserve Police Force,
Block No.1, CGO Complex,
Lodhi Road,
New Delhi 110 003.

3.The Deputy Inspector General of Police,
Central Reserve Police Force,
G.C.Bungrasia,
Baroda Post,
Bhopal (MP) 462 046.

... Respondents

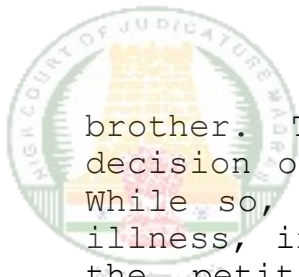
Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to release and disburse the death cum retirement benefits of deceased to the petitioners.

For Petitioners : Mr.L.Rajiah
For Respondents : No appearance

O R D E R

This writ petition has been filed for a direction to the respondents to release and disburse the death cum retirement benefits of deceased to the petitioners.

2. The case of the petitioners is that the petitioners are the brothers and sisters of the deceased Head Constable viz., P.Sundara Raman and they claimed that the petitioners' deceased brother married one Nagarani. However, she deserted the petitioners'



brother. Therefore, he filed a divorce petition. However, the decision of the divorce petition was not known to the petitioners. While so, the petitioners' brother Sundara Raman died, due to his illness, in the hospital on 25.12.2015. Thereafter, on 14.06.2016, the petitioners sent a legal notice to the respondents for settlement of the terminal benefits of the petitioners' brother. However, till date the terminal benefits was not settled to the petitioners. Hence, the petitioners have filed the present writ petition with the aforesaid prayer.

3. Heard the learned counsel for the petitioners.

4. The respondents have filed a counter and a perusal of the counter affidavit reveals that the marriage between the deceased Sundara Raman and Nagarani is not in dispute. Initially, the deceased Sundara Raman nominated his wife on 1st April 1997 and again, in the years 2001 and 2003, for disbursement of his terminal benefits. But, subsequently, he changed his nomination in favour of his brothers.

5. In view of the two different nominations, there is a rival dispute in between the petitioners as well as the wife of the deceased Sundara Raman. Hence, this writ petition is dismissed. However, liberty is granted to the petitioners to work out the remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar (CS II)

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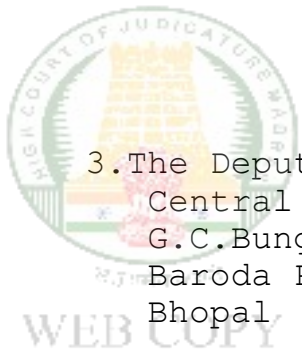
Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary,
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- 2.The Director General,
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<https://hcservices.ecourts.gov.in/hcservices/>



3.The Deputy Inspector General of Police,
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AS (28.06.2021) P 4C