



W.P.No.30348 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30348 of 2022

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Tmt.P.Selvi

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by Chief Secretary,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Secretary to Government,
Revenue and Disaster Management,
Secretariat, Fort St.George,
Chennai-600 009.
3. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
4. The District Collector,
Chennai District, at Chennai.
5. The District Collector,
Tiruvallur District, at Tiruvallur.
6. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai-600 007.
7. The Commissioner and District Registrar
of Births and Deaths,
(Covid-19 Death Ascertaining Committee),
Chennai Corporation,
Rippon Buildings, Chennai-600 003.



8. The Additional Commissioner of Police,
Traffic Zone,
Adyar Sub Division,
Chennai-600 020.

9. The Inspector of Police,
J-8 Neelankarai Traffic Police Station,
Neelankarai, Chennai-600 115.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 08.10.2020 and 30.09.2021 and thereby direct the respondents to provide Chief Minister Relief Fund and service benefits of petitioner's husband as Assistant Commissioner cadre to the petitioner based on the recommendation made by the eighth respondent, vide Rc.No.Estt.1/Tr/1064/26126/2020, dated 19.10.2020 and Na.Ka.No.Po.Retire.566/17281/2020, dated 12.02.2021 to the sixth respondent.

For petitioner : Mr.B.Gopalakrishnan

For respondents: Mr.L.S.M.Hasan Fizal, Addl.G.P. for RR-1,3,6,8 & 9

Mr.N.Naveen Kumar, Govt. Advocate for RR-2,4 & 5

Ms.P.T.Rama Devi, Standing Counsel for R-7

ORDER

This Writ Petition has been filed for a Mandamus to direct the respondents to consider the petitioner's representations dated 08.10.2020 and 30.09.2021 seeking for payment of Chief Minister Relief Fund and service benefits, which were payable to the petitioner's husband who was in the cadre of Assistant



Commissioner of Police, based on the recommendation made by the eighth respondent.

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2. The petitioner's husband Late R.Purushothaman worked as Inspector of Police and according to the petitioner, as per the instructions of her husband's superiors, her husband was attending to Corona preventive measures during the Pandemic time. The petitioner's husband was affected by Corona and due to the breathing problem and continuous dry cough, he had to take ten days' medical leave from 12.09.2020 onwards. Thereafter, he was admitted to the King Institute (being the Guindy Government Corona Hospital) on 17.09.2020 for further treatment. At last, he died on 27.09.2020. According to the petitioner, her husband Purushothaman got promotion as Deputy Superintendent of Police/Assistant Commissioner, through the proceedings dated 25.09.2020 of the Additional Commissioner of Police, Traffic, Vepery, Chennai-600 007. Before her husband took charge in the new post as Deputy Superintendent of Police, he died.

3. According to the petitioner, the Assistant Commissioner of Police, Traffic, Adyar Sub-Division issued a Certificate, dated 14.10.2020, which clearly reveals that her husband was a front-line warrior against the battle of Corona Pandemic. The petitioner sent a representation dated 08.10.2020 to the respondents, with a request to give Chief Minister Relief Fund and service benefits payable for her husband, who died due to Corona while he was posted in the cadre of Assistant Commissioner of Police and the seventh respondent has



also recommended her case, by proceedings dated 19.10.2020 and 12.02.2021 to the sixth respondent. She also sent a reminder representation on 30.09.2021.

According to the petitioner, till date, no final orders have been passed on the said representations of the petitioner. In such circumstances, the petitioner has filed the present Writ Petition for the relief stated supra.

4. Heard both sides and perused the materials available on record.

5. The petitioner has filed documents/proceedings which are enclosed along with the Writ Petition. She seeks for payment of Chief Minister Relief Fund and other service benefits which are payable to her husband, who died due to Corona in the cadre of Deputy Superintendent of Police/Assistant Commissioner of Police. The petitioner has given representations to the respondents, but till date, those representations have not been considered by the respondents. No prejudice would be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. Therefore, this Court directs the third respondent to pass final orders on the representations of the petitioner, dated 08.10.2020 and 30.09.2021 seeking for payment of Chief Minister Relief Fund and other service benefits payable to her Late husband R.Purushothaman, who died due to Corona Pandemic while he was posted in the cadre of Deputy Superintendent of Police/Assistant Commissioner of Police, within a period of 12 weeks from the date of receipt of a copy of this order, and the third respondent shall pass orders



on the said representations, on merits and in accordance with law.

7. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

16.11.2022

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To

1. The State of Tamil Nadu,
Rep. by Chief Secretary,
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Chennai-600 009.
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