



W.P.(MD).No.27590 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27590 of 2022

Sagayarani

... Petitioner

VS.

- 1.The District Collector,
Office of District Collector,
Trichy District,
Trichy.
- 2.The Superintendent of Police,
Office of Superintendent of Police,
Thiruvarur District,
Thiruvarur.
- 3.The Superintendent of Police,
Office of Superintendent of Police,
Trichy District,
Trichy.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Theni District,
Theni.
- 5.Shalini

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent to grant entire death benefits payable for the death of the petitioner's younger son Lio Anand (Junior Police Constable No.1209) while in service died on 27.12.2021, consequently to provide compassionate ground appointment to her elder son Albert Amalraj, by considering her representation dated 21.10.2022 and for other such reliefs, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For R1 to R4 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the 2nd respondent to grant entire death benefits payable for the death of the petitioner's younger son Lio Anand (Junior Police Constable No.1209) while in service died on 27.12.2021, consequently to provide compassionate ground appointment to her elder son Albert Amalraj, by considering her representation dated 21.10.2022 and for other such reliefs.



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2. By consent of both parties, the writ petition itself is taken for final disposal at the admission stage.

3. The learned counsel appearing for the petitioner would submit that the petitioner's younger son Lio Anand was working as Junior Police Constable. He married the fifth respondent in the year 2017 and they are not blessed with any child. Further, there was a matrimonial dispute between them and he has filed a petition in I.D.O.P.No.989 of 2021 before the Family Court, Coimbatore for divorce. During the pendency of the same, he was died in a road accident on 26.12.2021. Therefore, the petitioner has made a representation to the respondents 1 to 4 on 21.10.2022, for settlement of entire death benefits to the legal heirs and to provide compassionate appointment to the petitioner's elder son Albert Amalraj. But the same was not considered. Hence, the present writ petition has been filed.

4. Since no adverse order is going to be passed against the fifth respondent, notice to the fifth respondent is dispensed with.



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5. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner's representation dated 21.10.2022, will be considered by the second respondent in the manner known to law.

6. Considering the above facts, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation, dated 21.10.2022 and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the petitioner as well as the fifth respondent, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

07.12.2022

akv

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To

- 1.The District Collector,
Office of District Collector,
Trichy District,
Trichy.
- 2.The Superintendent of Police,
Office of Superintendent of Police,
Thiruvarur District,
Thiruvarur.
- 3.The Superintendent of Police,
Office of Superintendent of Police,
Trichy District,
Trichy.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Theni District,
Theni.



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M.DHANDAPANI,J.

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