



W.P.No.35211 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.35211 of 2014

M.Jayalakshmi

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Petitioner

VS

1. The Officer Commanding
Vehicle Depot Workshop EME
Avadi, AF(PO), Chennai 600 055.

2. The Manager
State Bank of India
Avadi, Chennai 600 054.

3. The Tahsildar
Poonamallee Taluk
Poonamallee, Chennai 600 056.

4. M.Rani

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus, directing the 1st to 3rd respondents herein from preventing the petitioner from receiving the benefits of her deceased husband V.Murugan by issuing legal heir certificate and by allowing to operate the account of the deceased husband of the petitioner.



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For the Petitioner : Mr.J.Selvarajan

For the Respondents : No Appearance
for respondent 1

Mr.C.Mohan
for M/s.King & Partridge
for respondent 2

Mr.S.RAvichandran
Additional Government Pleader
for respondent 3

Mr.D.Chandrakanth
for respondent 4

ORDER

The relief sought for in the present writ petition is to direct the 1st to 3rd respondents herein from preventing the petitioner from receiving the benefits of her deceased husband V.Murugan by issuing legal heir certificate and by allowing to operate the account of the deceased husband of the petitioner.

2. The learned counsel appearing for the respondents made a submission that the fourth respondent is the first wife of the late Mr.V.Murugan and the petitioner was his second wife.



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3. There was a dispute within the family and the relief, as such sought for, to direct the respondent from preventing the petitioner from receiving benefits cannot be granted in a writ proceeding in the absence of any adjudication and resolving the family disputes between the parties. Thus, the writ petitioner has to approach the competent Court of law to establish her right for the purpose of getting Government benefits.

4. With this liberty, the writ petition stands disposed of. There will be no order as to costs.

Index : Yes/No
Neutral Order:Yes/No
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S.M.SUBRAMANIAM,J.

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