



W.P.No.34817 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.34817 of 2022

R.Monika

... Petitioner

Vs

1. The Director General of Police,
Head Quarters, Dr.Radhkrishnan Salai,
Mylapore, Chennai – 600 004.
2. The Commissioner of Police,
Greater Chennai Police,
132, EVK Sampath Salai,
Vepery, Chennai – 600 007.
3. The Joint Commissioner of Police,
East Zone, Greater Chennai Police,
Pantheon Salai, Egmore, Chennai – 600 008.
4. The Inspector of Police [Crime],
D4 Zam Bazzar Police Station,
Bharathi Salai, Royapettah, Chennai – 600 014.



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5. The Pay & Accounts Officer,
South Nandanam, Fenepet,
Anna Salai, Chennai – 600 035.

6. Amutha

7. The Commissioner,
CPS – Cell, 5th Floor,
Government Data Centre, No.571, Anna Salai,
[Perasiriyar Anbazhagan Maaligai,
Pernpet, Nandanam, Chennai – 600 035.

[7th respondent impleaded as per the Order of this
Court in WMP.No.1878 of 2023 in W.P.No.
34817 of 202, dated 24.07.2023.]

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus to directing the respondents 1 to 4 to disburse the 3/4th of the petitioner's husband's Contribution Pension Scheme and other benefits to the petitioner and her minor children.

For petitioner : Mr.C.Prakasam

For respondents : Mr.M.Alagu Gowtham
Government Advocate – R1 to R5

Mr.R.Thanjan – R6

R5 – No appearance



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ORDER

This Writ Petition has been filed to direct the the respondents 1 to 4 to disburse the 3/4th amount of the petitioner's husband's Contribution Pension Scheme and other benefits to the petitioner and her minor children.

2. It is the contention of the petitioner that the husband of the petitioner died in harness on 15.03.2022. After the death of her husband, the petitioner approached the respondents on 16.05.2022 for compassionate appointment and disbursement of the death cum terminal benefits of her husband. According to the petitioner, Contribution Pension amount accumulated to the account of the husband of the petitioner has not been paid.

3. According to the sixth respondent, who is the mother of the deceased Government Servant, she is also entitled to a share in the amount payable to the petitioner.



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4. The learned counsel appearing for the respondents submitted that since, there is dispute between the petitioner and her mother-in-law, viz., the sixth respondent herein, no objection has to be given by the other legal heirs to pay amount entitled to the petitioner, for which the learned counsel for the petitioner submitted that $\frac{1}{4}$ of the amount will be paid to the mother-in-law, viz, the sixth respondent.

5. In such view of the matter, both the petitioner as well as the sixth respondent shall file an affidavit before the respondents mentioning their respective shares, viz., $\frac{3}{4}$ share to the petitioner and $\frac{1}{4}$ to the sixth respondent, within a period of fifteen days from the date of receipt of a copy and on such affidavits being filed, the respondents shall disburse the amount to the petitioner and the sixth respondent within a period of one month thereafter.

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

24.07.2023



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Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

VTC

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