



W.P.(MD)No.2454 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:07.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2454 of 2023

Krishnaveni

... Petitioner

Vs.

1.The Director General of Police,
Post Box No.601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.

2.The Inspector General of Police,
Kajamalai Colony,
Edamalaipatti Pudur,
Trichy – 620 023.

3.The Superintendent of Police,
Nagapattinam District,
Nagapattinam.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant the family Pension, Gratuity and other monetary benefits of the petitioner's deceased husband namely Moorthy P.C.1084 by considering the petitioner's representation, dated 07.10.2022.



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For Petitioner : M/s.A.Banumathy
For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

This writ petition has been filed to direct the respondents to grant the Family Pension, Gratuity and other monetary benefits of the petitioner's deceased husband namely Moorthy P.C.1084, by considering the petitioner's representation, dated 07.10.2022.

2. The case of the petitioner is that her husband by name Moorthy was employed as a Police Constable at the Thanjavur East Police Circle. While he was in service, the petitioner's husband declared her as a nominee to receive the retirement benefits. Subsequently, he died on 31.07.1979. According to the petitioner, she and her mother-in-law are the legal heirs of her husband. While being so, her mother-in-law filed a suit in O.S.No.2432 of 1979 praying for declaration, declaring that she is also a heir to the deceased Moorthy to receive the gratuity amount. The said suit was allowed. Challenging the same, the petitioner preferred an



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appeal. The lower Appellate Court allowed the appeal and set aside the decree of the trial Court. Challenging the same, the petitioner's mother-in-law filed a second appeal before this Court. The second appeal was allowed and the judgment of the lower appellate Court was set aside and the judgment of the trial Court was restored. While being so, the mother-in-law of the petitioner died on 10.03.2012. However, terminal benefits of the petitioner's husband was disbursed to the petitioner. Hence, the petitioner has made a representation to the respondents on 07.10.2022 seeking to disburse the terminal benefits. Since no order was passed till date, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that, it would suffice, if the second respondent is directed to dispose of the representation of the petitioner, dated 07.10.2022, on merits and in accordance with law, within a specified period.



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4. The learned Additional Government Pleader appearing for the respondents, has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation, dated 07.10.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of.
No Costs.

07.02.2023

PM
NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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M.DHANDAPANI,J.

pm

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