



WEB COPY



W.P. No. 1196 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKARAVARTHY

W.P. No. 1196 of 2022

M.Ashwini

... Petitioner

-VS-

The Superintendent of Police
Vellore Superintendent Office
Vellore District.
Respondent

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondent to consider orders on the application dated 09.01.2020 submitted by the petitioner and followed by her reminder dated 16.09.2021 in accordance with law within time frame as may be fixed by this Court.

For Petitioner : No appearance

For Respondent : Mr. C.Jayaprakash, GA

ORDER

This writ petition is filed with a prayer to consider the representation of the petitioner dated 09.01.2020 followed by her reminder dated 16.09.2021.



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WEB COPY 2. The case of the petitioner is that the petitioner's father K.Mahalingam was working as Inspector of Police and he died while in service on 01.01.2020. During his life time, the said Mahalingam married the petitioner's mother Vasantha with the consent of his first wife. After the death of the said Mahalingam, there arose dispute between the two families.

3. It is the case of the petitioner that the first wife as well as her children are very well placed. Therefore, the petitioner had made a representation for disbursement of terminal benefits on compassionate basis. The legal heirs of first wife had filed W.P. No. 19562 of 2021 and had obtained orders and the same will not be binding on the petitioner. Therefore, the petitioner seeks disposal of the representation in this writ petition.

4. It can be seen that the dispute is of civil in nature between the two classes claiming to be the legal heirs. The same can be resolved only through jurisdictional civil court. The petitioner has not even added other contesting parties as respondent in the writ petition.



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5. In view thereof, no relief can be granted in the present writ petition. It is for the petitioner to approach for appropriate civil court for redressing her grievance. With the above directions, the writ petition is disposed. No costs.

12.04.2024

Index: Yes/No

NCS: Yes/No

Speaking order /Non-speaking order

Maya

To

The Superintendent of Police
Vellore Superintendent Office
Vellore District.



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D.BHARATHA CHAKARAVARTHY, J.

Maya

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