



WEB COPY



W.P.No.9251 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.9251 of 2022

S.Jeyasheela

... Petitioner

Vs.

1.The Commissioner of Police
132, EVK Sampath Road
Vepery, Periamet
Chennai – 600 007.

2.The Additional Commissioner of Police
Traffic Investigation
Kilpauk, Chennai – 600 010.

3.N.Hemavathi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to sanction the service benefits, such as pension, provident fund, gratuity and all other attendant benefits to the petitioner forthwith by considering the representation made by the petitioner dated 10.01.2021 within the time to be stipulated by this Court.

For the petitioner	:	Mr.R.Chandrasekaran
For the respondents	:	Mr.V.Veluchamy
		Additional Government Pleader
		for RR1 & 2

ORDER



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This Writ Petition has been filed to direct the respondents to sanction the service benefits of the petitioner's deceased husband and all other attendant benefits.

2. It is the case of the petitioner that she got married to one P.Nagarajan on 10.06.1986. Due to their marriage, the petitioner and the said Nagarajan blessed with two children. At the time of marriage, the petitioner was working as a Head Constable in the Tamil Nadu Police Department. While so, on 06.06.2012 the petitioner's husband while working as Special Sub-Inspector of Police died, due to heart attack. When the petitioner approached the 2nd respondent claiming family pension and other service benefits, the 3rd respondent also claiming the same as if she is the legally wedded wife of the said Nagarajan.

3. As per the service records of Nagarajan, the petitioner herein is the nominee. Therefore, the marriage between the 3rd respondent and the said Nagarajan is held to be void and she cannot claim the status of legally wedded wife of Nagarajan.

4. In view of the above, the respondents 1 and 2 are directed to disburse the service benefits, such as family pension, provident fund, gratuity and all



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other attendant benefits to the petitioner, wife of the deceased Nagarajan,
forthwith with interest at the rate of 6 % p.a., from the date it become due till
the date of realization.

5. With the above directions, this Writ Petition stands allowed. No costs.

04.07.2024

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Index : Yes/No
Internet : Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes/No

To

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G.K.ILANTHIRAIYAN, J.,
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