



W.P.No.22460 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22460 of 2022

and

W.M.P. No. 21513 of 2022 and

W.M.P. No. 17359 of 2023

1. N.Palani

2. Gowri

... Petitioners

Vs

1. The District Collector,
Chengalpattu,
Office of the District Collector,
Chengalpattu District.
2. The Revenue Divisional Officer,
Office of the RDO,
Tambaram.
3. The Tahsildar, Vandalur,
Office of the Tahsildar,
Vandalur.
4. The HR Manager,
HCL Technologies Ltd.,
D12 & 12B, Sidco Industrial Estate,
Ambattur, AMB-1,
Chennai – 600 058.



W.P.No.22460 of 2022

5. A.Vijayalakshmi

... Respondents

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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for records relating to impugned order vide Na. Ka. 4813/2022Y1 dated 12.07.2022 passed by the first respondent and quash the same.

For Petitioners : Mr.Prakash Adiadam

For Respondents : Mr. S.J.Mohammed Sathik,
Government Advocate (for R1 to R3)
Mr. J.N.Naresh Kumar (for R5)

ORDER

This Writ Petition has been filed challenging the order dated 12.07.2022 passed by the first respondent.

2. On a perusal of the records, it reveals that the legal heirship certificate which was issued in favour of the petitioners, was cancelled by proceedings in Na. Ka. No. 4813/2022/Y1, dated 12.07.2022 at the instance of the fifth respondent. While pending the Writ Petition, a compromise was entered into between the petitioners and the fifth respondent and accordingly, the terms and conditions of the Memo of Compromise, which is as follows:-



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W.P.No.22460 of 2022

“i) The petitioners and the fifth respondent for herself and on behalf of her minor daughter Mahalakshmi have agreed to share death benefits to a tune of Rs.64,00,000/- (Rupees Sixty Four Lakhs only) with accrued interest, which yet to be settled by the employer of the deceased that is HCL Technologies Ltd., (the fourth respondent herein) at the rate of 50% each. That is the petitioners have agreed to receive 50% i.e. Rs.32,00,000/- (Rupees Thirty Two Lakhs only) with accrued interest from the death benefits and the fifth respondent and her minor daughter Mahalakshmi have agreed to receive 50% i.e. Rs.32,00,000/- (Rupees Thirty Two Lakhs only) with accrued interest from the death benefits. Hence, necessary suitable directions may be issued to the fourth respondent disburse the death benefits forthwith as per this settlement.

ii) The petitioners and the fifth respondent for herself and on behalf of her minor daughter Mahalakshmi have agreed to sell away the immovable property i.e., the



W.P.No.22460 of 2022

property bearing Plot No.15, measuring extent of 849 sq.ft. (78.90 sq.ft) Sri Sarveshwari Nagar Part-1, Ayyancherry, Kancheepuram District – 303 202, comprised in Survey No. 50/1 F1A, which stands in the name of the deceased Loganathan as per registered Sale Deed vide Doc. 1302 of 2010 dated 25.02.2010 on the file of the Sub-Registrar, Guduvancheri, to any third party for higher market price and share sale consideration amount by equally dividing into two i.e., the petitioners are entitled for 50% from the same consideration amount and the fifth respondent and her minor daughter Mahalakshmi are jointly entitled for 50% from the remaining sale consideration amount.

iii) Therefore, the fifth respondent for herself and on behalf of her minor daughter Mahalakshmi have agreed to withdraw the civil suit filed by them against the petitioners for seeking partition, which is pending before the Principal District Judge, At Chengalpattu in O.S.No.49 of 2022.



W.P.No.22460 of 2022

WEB COPY

iv) The fifth respondent for herself and on behalf of her minor daughter Mahalakshmi have agreed to withdraw Succession Original Petition filed by them which is pending before this Court in O.P. No. 711 of 2022.

v) The petitioner and the fifth respondent for herself and on behalf of her minor daughter Mahalakshmi have agreed to give a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the petitioners towards additional construction raised by them in the said immovable property. The said amount would be paid to the petitioners by the fifth respondent and her daughter, while they receiving death benefits from the fourth respondent.

vi) The parties agrees that in future they will not lodge any complaint and petitions against each other and agrees to withdraw all the complaints/petitions already lodged.

vii) The parties agrees to bear their respective



W.P.No.22460 of 2022

WEB COPY

costs of all litigations.”

3. Recording the said Memo of Compromise dated 25.06.2024, the Writ Petition is disposed of, in terms of the memo of compromise dated 25.06.2024 entered into between the petitioners and the fifth respondents. The said memo of compromise shall form part of this order. The fourth respondent is directed to disburse the death benefits at 50% i.e. Rs.32,00,000/- to the petitioners and another 50% i.e. Rs.32,00,000/- to the fifth respondent and her daughter, forthwith.

4. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

28.06.2024
2/2

Index:Yes/No
Neutral Citation/Yes/No
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W.P.No.22460 of 2022

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To

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W.P.No.22460 of 2022

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W.P.No.22460 of 2022

28.06.2024

2/2