



W.P(MD).No.19095 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19095 of 2024

S.Alagusundari

... Petitioner

-VS-

1.The Superintendant of Police,
Madurai District,
Madurai.

2.Murugeswari

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned memorandum through proceedings in Na.Ka.No.H4/F.P.06/2023 dated 14.06.2024 on the file of the 1st respondent and to quash the same and further directing the 1st respondent to process the claim of the petitioner for family pension and other monetary benefits by accepting the legal heir certificate dated 10.06.2024.

For Petitioner	: Mr.C.M.Mari chelliah Prabhu
For R1	: Mr.S.Shaji Bino Special Government Pleader
For R2	: Mr.S.Alagusundar



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ORDER

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The instant writ petition has been filed by the wife of the deceased employee challenging the order passed by the first respondent herein wherein she has been directed to produce succession certificate from the Civil Court for disbursement of the terminal benefits.

2. According to the learned counsel appearing for the petitioner, the petitioner had already produced the legal heir certificate of the deceased Seenivasan, which does not reflect any rival claim. The second respondent, who is alleged to be the second wife of the deceased Seenivasan, has given an affidavit to the effect that she is the second wife and she is not making any claim over the terminal benefits or the other benefits of the deceased Seenivasan. Hence, she prays for setting aside the order passed by the first respondent.

3. The learned counsel appearing for the second respondent had confirmed the fact that she has given such an affidavit and she is ready to give a statement before the Office of the first respondent.



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4.In view of the said facts, the second respondent is directed to appear before the Office of the first respondent and give a statement that she is the second wife of the deceased Seenivasan and she is not making any claim over the terminal benefits of the deceased employee. On receipt of such statement, the first respondent is directed to proceed further and disburse the terminal benefits based upon the legal heir certificate without insisting upon the succession certificate.

5.With the aforesaid observation, the Writ Petition is disposed of. No costs.

21.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
1.The Superintendant of Police,
Madurai District,
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R.VIJAYAKUMAR,J.

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