



W.P.(MD)No.20768 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20768 of 2022

Latha

... Petitioner

Vs.

1.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Chennai – 600 004.

2.The Inspector General of Police,
Madurai South Zone,
No.1, New Natham Road, Bibikulam,
Race Course Colony,
Madurai – 625 002.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

4.The Accountant General (A and E),
Office of the Accountant General,
No.361, Anna Salai, Teynampet,
Chennai – 600 018.

5.The Sub Treasury Officer,
Palani Sub Treasury Office,
Dindigul District, Dindigul.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 4th respondent vide his proceedings in PO5/3/10530214/ADK/268, dated 06.08.2021 and quash the same as illegal and unconstitutional and consequently directing the respondents to pay the revised pension and other monetary attendant benefits to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.S.S.Madhavan
Government Advocate for R1 to R3
Mr.P.Gunasekaran for R4

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ORDER

The instant writ petition has been filed by the first wife of a deceased Government servant, challenging the order passed by the fourth respondent herein, wherein they have requested the revenue authorities to verify whether the petitioner alone is the wife or any other lady is the wife of the deceased Government servant.

2.According to the learned Counsel appearing for the writ petitioner, she is the first wife of late V.Nagarajan and her husband got married to her sister i.e., one Mallika as the second wife. Her sister Malliga has not made any claim



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towards the terminal benefits or the family pension of the deceased V.Nagarajan.

3.The legal heir certificate issued to the writ petitioner reveals that the petitioner is the first wife and her two children are the son and daughter of the first wife. Therefore, the fourth respondent has entertained a doubt with regard to the availability of the second wife and has returned the papers.

4.According to the learned Counsel appearing for the writ petitioner, the second wife would appear before the revenue officials and give a statement that she is not making any rival claim to the terminal benefits or the family pension of late V.Nagarajan

5.In view of the above said facts, the petitioner is directed to get a statement of Malliga recorded before the Thasildar concerned, that she is not making any rival claim to the family pension or the terminal benefits of late V.Nagarajan. Based upon the said statement recorded before the Tashildar, the fourth respondent is directed to proceed to revise the pension of the writ petitioner within a period of eight weeks from the date of receipt of the statement.



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6. With the above said observations, this writ petition stands disposed of.

No costs.

13.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

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