



W.P.NO.5713 OF 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.5713 OF 2025

Padma

... Petitioner

VS.

1.The Commissioner of Treasuries and Accounts
O/o.The Commissioner of Treasuries and Accounts
No.571, Anna Salai, Nandanam,
Chennai – 600 035.

2.The District Backward Classes and Minorities
Welfare Officer, Krishnagiri,
Krishnagiri District.

3.The Tahsildar
Soolagiri,
Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondents to sanction and disburse the terminal benefits and the amount due under the contributory Pension Scheme payable to the deceased husband of the petitioner, being the legal heir, at the earliest.



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For Petitioner : Mr.K.Balakrishnan
For Respondents : Ms.A.Bagyalakshmi
Government Advocate

ORDER

This Writ Petition has been filed in the nature of a Mandamus, seeking a direction against the respondents to sanction and disburse the terminal benefits and the amount due under the Contributory Pension Scheme, payable to the deceased husband of the petitioner, to the petitioner, as his widow and legal heir.

2.The late husband of the petitioner, alternatively called Devaraj @ Devarasan, was employed as a Cook in the office of the second respondent, the District Backward Classes and Minorities Welfare Office at Krishnagiri. He retired from service upon attaining the age of superannuation on 28.02.2022. Unfortunately, he passed away on 20.03.2022. The petitioner is one of the legal heirs, along with her four children. The petitioner had submitted her husband's death certificate and legal heirship certificate to the respondents, seeking disbursement of his Contributory Pension Scheme amount and other benefits. However, the



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respondents returned the request, citing a discrepancy in the name of the petitioner's husband. While his name was recorded as 'Devarasan' in service records, it appeared as 'Devaraj' in his Aadhaar and other identification documents.

3.It must be noted that the names reflected in Aadhaar and similar documents are often recorded based on the information provided by the applicant therein and there is also a possibility of typographical errors. In the primary document issued by the school, his name has been reflected as 'Devarasan.' Even otherwise, the respondents could have verified his identity by examining the name of his father. If the father's name is the same in all records, it is reasonable to presume that 'Devaraj' and 'Devarasan' refer to the same individual.

4.On such a flimsy ground, the disbursement of retirement benefits and the CPS amount should not have been withheld. The respondents cannot deny the petitioner and her family their rightful benefits, as the deceased was an employee under their service. The



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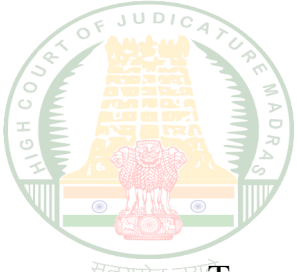
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family should not suffer financially due to the unfortunate demise of the employee. Therefore, a direction is given to the respondents to disburse the terminal benefits and the CPS amount which are payable to the petitioner, on or before 28.03.2025.

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

19.02.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
TK



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C.V.KARTHIKEYAN, J.

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