



W.P.No.29896 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.29896 of 2025

M.Gayathri

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Home Department,
Secretariat, Chennai.

2.The District Collector,
District Collectorate,
Kallakurichi District.

3.The District Fire Officer
The Tamil Nadu Fire and Rescue Services Department,
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to disburse the post death benefits and other benefits of Late Murugesan to the petitioner along the other legal heirs by considering the petitioner's representation dated 14.02.2025 within a time frame fixed by this Court.



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For Petitioner : Mr.V.Sivaraman

For Respondents : Mr.R.Sasikumar
Government Advocate

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the 3rd respondent to disburse the post death benefits and other benefits of Late Murugesan to the petitioner along the other legal heirs by considering the petitioner's representation dated 14.02.2025 within a time frame fixed by this Court.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner is the second wife of Late.Murugesan, who was serving as a Driver in the 3rd Respondent-Department. It is the further submission of the



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petitioner that he died on 24.03.2022 while he was in service. The learned counsel for the petitioner would submit that the petitioner is entitled for the terminal benefits of her husband and such benefits have not been settled by the respondents. In this connection, she has sent a representation to the 3rd respondent on 14.02.2025 and such representation is pending before the 3rd respondent.

5. At this juncture, the learned Government Advocate appearing for the respondents would submit that the petitioner is the second wife of the employee Late.Murugesan. Though Mr.Murugesan's first wife died, out of their said wedlock, they have got one female child namely Ms.Sneha and she has not been made as a party in the present writ petition, therefore, the present writ petition is liable to be dismissed.

6. I have given my anxious consideration to the submissions made on either side.

7. While looking at the averments, what the petitioner wants is only to



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consider her representation. Therefore, without going into the merits of the writ petition, this Court deems it appropriate to direct the 3rd respondent to consider the petitioner's representation dated 14.02.2025 and pass orders on it's own merits and in accordance with law, after affording opportunity to the first wife's daughter namely Ms.Sneha, within a period of twelve weeks from the date of receipt of copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

08.08.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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To
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C.KUMARAPPAN, J.

dm

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