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WP No. 35169 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 35169 of 2025

VANITHA

Petitioner(s)

Vs

1. The District Collector
Chengalpattu District, Chengalpattu.

2. The Tahsildar
Tirukazhukundram Taluk,
Chengalpattu District.

3. N.Makeshwari
W/O.Late Natarajan
(R3 impleaded vide order of this Court dated
16.10.2025 in W.P.No.35169 of 2025)

Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the 1st respondent to disburse the final settlement given by the company namely EMDAD Services LLC in favour of the petitioner by depositing / transferring to the account of the petitioner to ensure their livelihood.

For Petitioner(s): Mr.A.Mohan
For Respondent(s): Mr.M.Rajendran, AGP RR1 & 2
Mr.S.Gopinath For R3

ORDER

The writ petition has been filed seeking a direction to the 1st respondent to disburse the final settlement given by the company namely EMDAD Services LLC in favour of the petitioner by depositing / transferring to the account of the petitioner to ensure their livelihood.



2. It is the case of the petitioner that the petitioner got married with one Natarajan in the year 2005. Out of the wedlock, the petitioner got two sons viz., Sanjeevraj and Akash Raj. The petitioner's husband was employed in Abudhabi. Due to difference of opinion between the petitioner and her husband, the petitioner filed a petition for Divorce in HMOP No.101 of 2023 before the Principal Subordinate Judge, Chengalpattu. Pending the petition, on 11.07.2024, the petitioner's husband died in Abudhabi. The employer of the deceased forwarded a compensation for a sum of Rs.1,34,00,000/- to the first respondent. The petitioner filed a claim petition before the first respondent for claiming compensation and the same was not disbursed to the petitioner. Hence, the present writ petition.

3. During course of argument, the third respondent filed impleading petition stating that she performed a marriage with the petitioner's husband and the same was disputed by the petitioner. However, a compromise has been arrived at between the petitioner and the third respondent. To that effect, they have filed memo dated 28.10.2025 before this Court and the same is extracted as follows:

"JOINT AFFIDAVIT OF Mrs. VANITHA & MAKESHWARI

We, (1). N.Vanitha, W/o. (Late) Natarajan, a Hindu,



Female aged about 41 years, residing at No.7/31, Ponu Vinaygar Kovil Street, Sadras, Kalpakkam, Chennai - 603 102

(2). Makeshwari, D/o. Sankaramoorthy, Hindu aged about 29 years residing at No. 26, Ennaivayal Kuruchi, Pattukottai, Thanjavur, Tamil Nadu-614 602 do hereby solemnly affirm and sincerely state as follow. 1. We are respectively the Writ Petitioner and the proposed impleading applicant in the above said case and as such we are well acquainted with the facts and circumstances of the case. 2 2. The above said matter came up for hearing on 23.10.2025 and this Hon'ble Court was pleased to suggest a compromise to be arrived at between ourselves to solve the issues amicably.

3. We further submit that I, the writ petitioner herein to respect the indulgence of this Hon'ble Court give my consent, without prejudice to my legal rights, to give up a sum of Rs. 15,00,000/- (Rupees fifteen lakhs only) from and out of the amount of Rs. 1,34,92,834.00/-(which was the amount of final settlement sent by the EMDAD Services L.L.C and lying with the 1st Respondent) in favour of the impleading applicant Ms. Makeshwari, D/o. Sankaramoorthy residing at the above-mentioned address on a condition that the impleading applicant shall not have any further claim on any of the movable and immovables properties left by the deceased husband of the writ petitioner, namely Late Natarajan. Apart from that the impleading applicant shall have no claim or interest or any right against the writ petitioner or her Late husband, or any of the legal heirs of the said Late Natarajan in any manner or whatsoever.

4. We further submit that I, the impleading applicant,



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having accepted the above said condition put forth by the writ petitioner agree to settle for the said sum of Rs. 15,00,000/-/- (Rupees fifteen lakhs only) from and out of the final settlement sent by EMDAD Services L.L.C and lying with the 1st Respondent. i, the impleading applicant, undertake to submit that I will never stake any further claim on any of the movable and immovable properties left by the husband of the writ petitioner; Late Natarajan or any of the sum that may come to the claim or name of the said Late Natarajan in future.

5. We herewith file this joint affidavit of compromise with the above said terms and conditions and the same may be taken into account by this Hon'ble Court. Hence, we pray that this Hon'ble Court may be pleased to accept this joint affidavit of compromise and pass an order on the terms and conditions of this joint affidavit of compromise and pass such further or other orders as this Hon'ble Court may deem fit and proper and just render justice."

4. As per the compromise arrived at between the parties, this Court is inclined to pass the following orders;

“(i) The first respondent is directed to deposit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) to the third respondent; Thereafter, the third respondent shall not entitled to claim anything further from the petitioner and her family; and

(ii) The first respondent is directed to deposit a sum of Rs.49,92,834/- (Rupees Forty Nine Lakhs ninety two thousand and eight hundred and thirty four only) to the petitioner account; Further, a sum of Rs.35,00,000/- (Rupees Thirty five lakhs only)



shall be deposited into the account of the first son viz., N.Sanjeev Raj of the petitioner and the deceased Nataraja; Furthermore, a sum of Rs.35,00,000/- (Rupees Thirty five lakhs only) shall be deposited in the name of the N.Akash Raj and the petitioner in joint account, as AkashRaj is a minor. The entire process must be completed within a period of four weeks from the date of receipt of a copy of this order”

5. With the above directions, the writ petition is disposed of. No costs.

28-10-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The District Collector
Chengalpattu District, Chengalpattu

2.The Tahsildar
Tirukazhukundram Taluk,
Chengalpattu District



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M.DHANDAPANI J.

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