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W.P.No.43104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

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THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.43104 of 2025

Santhalakshmi

.....

Petitioner

Vs

1.The Additional Chief Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009

2.The Director General of Police
Police Department of Chennai,
Kamarajar Salai, Chennai,
Tamilnadu-600 004

3.The Superintendent of Police
Thanjavur District,
Tamilnadu-613001

4.Additional Superintendent of Police
Thanjavur District,
Tamilnadu-613001

5.The Principle Accountant General
The Office of the Principle Accountant General (A & E),
361 Anna Salai,
Chennai-18

.....

Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned letter No.E05/2/10538195/ADK dated 04.06.2025 issued by the 5th respondent and quash the same in so far refusing to consider the petitioner name in the nomination for DCRG of Mr. T.Vaithiyanathan and direct the respondents 1 to 3 to send the revised proposal rectifying the discrepancies quoting in the 5th respondent impugned letter No.E05/2/10538195/ADK dated 04.06.2025 and consequently direct the respondent to sanction death cum retirement benefits of Mr. Vaithiyanathan along with interest including family pension to the petitioner.

For Petitioner : Mr.K.S.Murali Kumar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 04.06.2025 passed by the fifth respondent, thereby refusing to consider the petitioner's name as nominee to the DCRG of the deceased brother T.Vaithiyanathan.

2.Heard the learned counsel appearing on either side and perused the materials available on record.



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3.The petitioner is the younger sister of the deceased

T.Vaithiyanathan, who was working as a Sub Inspector of Police and died while he was in service as a bachelor, leaving behind the petitioner and three other sisters. All the sisters fall under Class-II legalheirs of the deceased. The deceased had nominated the petitioner alone in the service register to receive all service benefits. Accordingly, the third respondent recommended the name of the petitioner for payment of DCRG benefits of the deceased T.Vaithiyanathan, along with the copies of the relevant documents, including the service register, legal heirship certificate and death certificate of the decease T.Vaithiyanathan.

4.However, the fifth respondent, without considering the same, mechanically rejected the petitioner's claim on the ground that only the deceased mother had been nominated by the deceased. Admittedly, the parents of the deceased had predeceased him and the surviving legal heirs are only the sisters, who are Class-II legal heirs. A perusal of the service register reveals that the petitioner's name is entered as nominee in Form III under the head of "Details of Family". Therefore, the order passed by the fifth respondent cannot be sustained and is liable to be quashed.



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5. Accordingly, the order dated 04.06.2025 passed by the fifth respondent is hereby quashed. The fifth respondent is directed to sanction the DCRG of the deceased T.Vaithiyanathan, to the petitioner, along with interest at the rate of 6% per annum, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands allowed. There shall be no order as to costs.

12.11.2025

Neutral citation : Yes/No
Index: Yes/No
Speaking/Non speaking
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To

1. The Additional Chief Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009

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Police Department of Chennai,
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