



WP(MD). No.26224 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 15/10/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.26224 of 2025

Sundarammal

... Petitioner

Vs

1. The Director General of Police / Head of Police Force,
Director General Office,
Chennai.

2. The Commandant,
Special Police Force VI Battalion,
Madurai City,
Madurai.

3. The Inspector of Police,,
Special Police Force Vi Battalion,
"C" Company
Madurai City.

4. Umanya,
D/o Deivendran,
5/101, Muniyandipuram,
Y.Othakkadai,
Madurai.

... Respondents

PRAYER :-

Writ Petition, filed under Article 226 of the Constitution of India,
praying this court to issue a Writ of Mandamus directing the respondents



WP(MD). No.26224 of 2025

1 to 3 to disburse the monetary benefit of the petitioners son Eswaramoorthy to the petitioner within the time framed as fixed by this Court.

For Petitioner : Mr. S.Alagusundar,
Advocate.

For Respondents : Mr.F.Deepak for R1 to R3
Special Government Pleader

Mr.R.Paranjothi for R4

ORDER

This Writ Petition is filed to issue a Writ of Mandamus directing the respondents 1 to 3 to disburse the monetary benefit of the petitioners son Eswaramoorthy to the petitioner within the time framed as fixed by this Court.

2. From the communication dated 27.02.2025 of the second respondent, it could be seen that various documents were sought to be submitted by the petitioner. The petitioner, thereafter had submitted various documents and by a further communication dated 25.07.2025, the second respondent had insisted upon further documents. Thereafter the



WP(MD). No.26224 of 2025

petitioner, by a representation dated 01.09.2025 had made representation to the said effect and the fourth respondent who is the wife of the deceased had also given a consent for disbursement of the terminal benefits in favour of the petitioner. The fourth respondent represented by a counsel has also placed on record an affidavit expressing a consent to pay the monetary benefits to the petitioner.

3. Mr.F.Deepak, learned counsel for the respondents 1 to 3 would submit that the mutual agreement entered into between the fourth respondent and the deceased Police Constable, cannot be treated as a proof of evidence for divorce and hence an advice has been given by the third respondent to collect the divorce orders issued from the appropriate Court and that the said memorandum has also been served upon the petitioner. The legal heir certificate issued by the revenue authorities also contained the name of the fourth respondent. Only if her name is deleted from the legal heir certificate, the respondents could be able to disburse the amount to the petitioner.



WP(MD). No.26224 of 2025

4. I have considered the submissions made by the learned counsel for the petitioner. It is not in dispute that the petitioner is the mother and the fourth respondent is the wife of the deceased Police Constable. Even assuming that there has been no divorce between the fourth respondent and the deceased Police Constable, when the fourth respondent had univocally relinquished her right to receive the monetary benefits arising out of the death of the Police Constable, this Court finds no impediment in granting the monetary benefits of the deceased in favour of the petitioner.

5. In such view of the matter, the writ petition is allowed, with a direction to the respondents 1 and 2 to disburse the monetary benefits arising out of the death of the petitioner's son Eswara Moorthy to the petitioner without insisting upon any further documents within a period of four weeks from the date of receipt of a copy of this order. No costs.

15.10.2025

NCC : yes / no
Index : yes / no
Internet : yes / no
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WP(MD). No.26224 of 2025

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WP(MD). No.26224 of 2025

K.KUMARESH BABU, J.

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ORDER
IN
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