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W.P.(MD)NO.9448 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9448 of 2023

M.Vidhya Shree

... Petitioner

Vs.

1. The Southern Zonal Officer (LIC),
O/o.The Southern Zonal Office,
New No.153, Old No.102,
LIC Building, Mount Road,
Anna Salai, Mount Road,
Chennai – 600 002.

2. The Senior Divisional Manager,
Jeevan Prakash Building,
No.9A, Punithavathiar Street,
Palayamkottai,
Tirunelveli – 627 002.

3. The Branch Manager(LIC),
No.952/5, Sathur Main Road,
Kovilpatti,
Thoothukudi – 628 501.

4. J.Masilamani

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 not to provide the retirement benefits and other benefits of the 4th



respondent who is presently working as an Assistant Branch Manager (LIC), Kovilpatti, in the respondents Corporation until he return the properties which were given as a dowry, to the petitioner based on the petitioner's Legal Notice dated 10.04.2023.

For Petitioner : Mr.K.Rajeshwaran
For R-1 to R-3 : Mr.B.Prasanna Vinoth
For R-4 : Mr.P.Santhoshkumar

* * *

ORDER

Heard the learned counsel on either side.

2. The fourth respondent got married to the petitioner on 20.11.2020. The claim of the the fourth respondent that this is her second innings. The petitioner claims that this is her first innings. According to the fourth respondent, the petitioner married one Vinoth Kumar and without formally dissolving the marriage, she married him. This assertion is denied by the petitioner. The fourth respondent was employed in LIC. Since he retired from service, the petitioner wants this Court to direct the employer to retain the retirement benefits of the fourth respondent.



3. I do not want to pronounce on the genuineness or validity of the petitioner's claim. It is the jurisdictional matrimonial Court that can grant relief to the petitioner. The writ Court cannot enter into this controversy. Granting liberty to the petitioner to move the jurisdictional civil or family Court, this writ petition is dismissed. This writ petition stands disposed of. No costs.

27.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

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