

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.35285 of 2015

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Dated 29.10.2015
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Between:

Ramancha Komuramma and another

... Petitioners

and

-
The Singareni Collieries Company Limited,
rep. by its Chairman & Managing Director
Hyderabad and 6 others.

...Respondents

Counsel for the petitioner: Mr.Surendra Desai

Counsel for the respondents: None appeared

The Court made the following:

Order :

This Writ Petition is filed for a Mandamus to declare the action of respondent Nos.1 to 5, in allowing respondent No.6 to delete the names of the petitioners and introduce the names of respondent No.7 and her children as his Representatives in his service records, as illegal and arbitrary.

Petitioner No.1 pleaded that she is the legally

wedded wife of respondent No.6 and that petitioner No.2 was born out of the said wedlock. She has further pleaded that as she was recognized as the legally wedded wife of respondent No.6, she was allowed the facilities such as medical reimbursement *etc.*; that a DVC case is pending between herself and respondent No.6; and that respondent No.6 has surreptitiously entered the name of respondent No.7 as his nominee in the service records by deleting her name. She has further pleaded that as respondent No.6 is retiring on 31-10-2015, respondent No.1 is likely to pay all the retirement benefits to respondent No.6 and that, in such an event, the petitioners will be denied of their legitimate claim over the retirement benefits.

After hearing the learned Counsel for the petitioners,

I am of the opinion that this Writ Petition is wholly misconceived. The question as to, among petitioner No.1 and respondent No.7, who is the legally wedded wife of respondent No.6 needs to be adjudicated by appropriate forum. For the moment, this question has no relevance as respondent No.6 is alive and irrespective of the person, who is shown

as nominee by him in the service records, all the retirement benefits shall be paid to respondent No.6 only. If the petitioners have any legitimate claim over the estate of respondent No.6, they are entitled to approach the appropriate forum for asserting their rights and claim suitable reliefs against the said respondent.

In this view of the matter, I do not find any merit in this Writ Petition and the same is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.45336 of 2015, filed by the petitioners for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 29th October, 2015
LUR