

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.4072 of 2016

-
10.02.2016

Between:

Thutta Surya Kumari

.. Petitioner

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.D.V.Ramana Sarma

Counsel for respondent No.1: Assistant Government Pleader for
Panchayat Raj and Rural Development (TS)

Counsel for respondent Nos.2 and 3: --

The Court made the following:

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ORDER:

The relief claimed in this writ petition appears to be very peculiar, in that, the petitioner expects the respondents, under whom her husband was working as an employee, to trace his whereabouts.

The correspondence exchanged between the petitioner and respondent Nos.2 and 3 would reveal that the former's husband had been absconding from 2012 and that his whereabouts are not known. The petitioner filed a copy of representation, dated 14.10.2015, made to the Station House Officer, Railways, Chennai Central, wherein she stated that her husband had informed her prior to Diwali in 2012 that he was interested in visiting the temples in Tamilnadu, that he had left home in the month of November, 2012 for Tamilnadu, that two days thereafter, she had received a call that he was boarding the train, by name, Coramandel Express from Chennai and that thereafter, the petitioner has no communication from her husband, who was also suffering from mental disorder from the time he had met with an accident in 2010.

The petitioner, accordingly, requested the Station House Officer to trace her husband.

In my opinion, the employer cannot be held responsible for nontracing of a missing employee. If the petitioner is interested in claiming the monetary and other benefits arising out of the employment of her husband, she can approach the employer concerned for such benefits. In respect of other aspects, the respondents have no obligation, in law, towards the missing husband of the petitioner. Hence, no *mandamus*, as sought in this writ petition, can be issued.

Subject to the above observations, the Writ Petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.5217 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

10th February, 2016
GHN