

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2017

CORAM

THE HONOURABLE Mr. JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE Mr. JUSTICE G.JAYACHANDRAN

W.P.No.1298 of 2016

J.Malliga

... Petitioner

Vs.

1.The Divisional Manager (DRM - Works)
Southern Railway, Salem Division,
Salem.

2.G.Jagadeesan

3.The Registrar,
The Central Administrative Tribunal,
Madras Bench, Chennai - 600 - 104.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified mandamus, to call for the records relating to the order dated 28.08.2015 made in O.A.No.310/01479/14 on the file of the Central Administrative Tribunal, Madras Bench and to quash the same and consequently direct the first respondent to withhold the service benefits of the 2nd respondent including pension and gratuity benefits and other monetary benefits.

For Petitioner : Mr.M.Vinoth

For Respondents : Mr.P.T.Ramkumar for R1

Mr.N.Umapathi for R2

R3 - Tribunal

O R D E R

(Order of the Court was made by
G.JAYACHANDRAN, J.)

The writ petition is directed against the order dated 28 August, 2015 in O.A.No.310/01479/2014, wherein, the Madras Bench of the Central Administrative Tribunal, has dismissed the

Original Application filed by the petitioner, seeking a direction to the first respondent to withhold the service benefits of the 2nd respondent.

2. We have heard the learned counsel for the petitioner and the learned counsel on behalf of respondents 1 and 2.

3. The petitioner is the estranged wife of the second respondent, who is a retired employee under the first respondent. The relief sought for by the petitioner before the Tribunal is not within the purview of the Tribunal. Hence, the Tribunal, has rightly dismissed the Original application filed by the petitioner. We are not in a position to intervene with the well considered order passed by the Tribunal.

4. The petitioner, having separated from her husband, the second respondent herein, appears to be suffering without adequate maintenance. Under such circumstances, she has knocked the wrong door of justice. It is also brought to the notice of this Court that the maintenance case filed by the petitioner during the year 2012 was dismissed for default and steps are being taken for its restoration. Hence, we suggest the parties to work out remedy through mediation or Pension Adalat, available under the first respondent organisation.

The writ petition is dismissed with the above observation.
No costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

svki

To

1.The Divisional Manager (DRM - Works)
Southern Railway, Salem Division,
Salem.

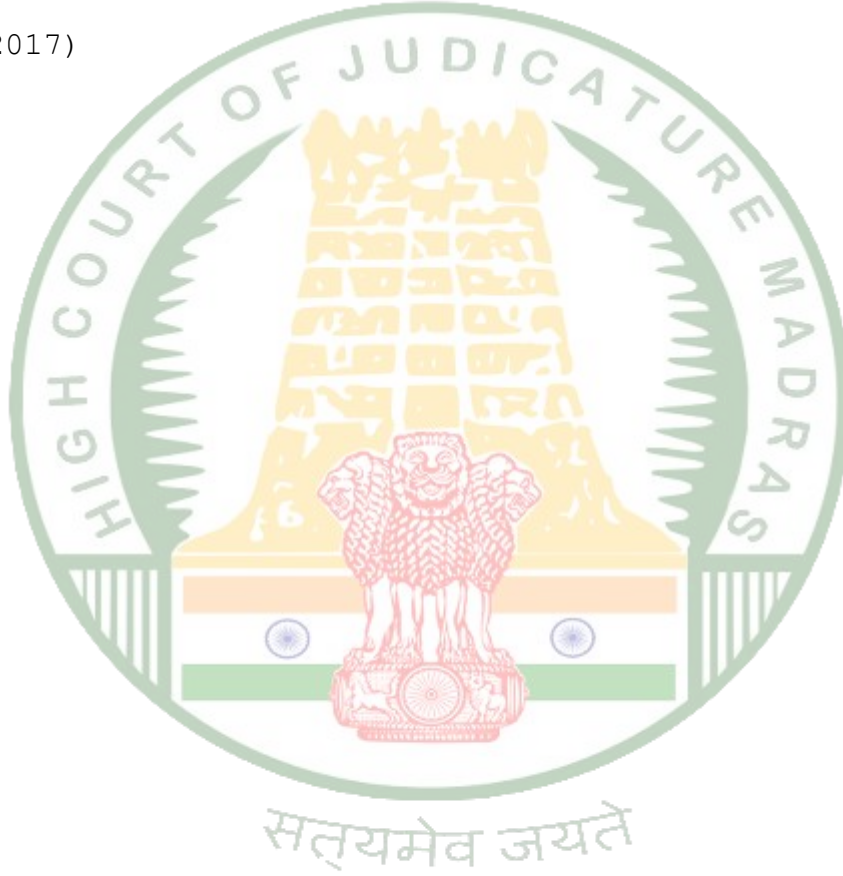
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2.The Registrar,
The Central Administrative Tribunal,
Madras Bench, Chennai - 600 - 104.

+1cc to Mr.C.S.Saravanan, Advocate Sr. 49019
+1cc to Mr.P.T.Ramkumar, Advocate Sr. 48974
+1cc to Mr.N.Umapathi, Advocate Sr. 48924

W.P.No.1298 of 2016

AR(V)
VR(08/08/2017)



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