

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.10.2017

Coram

The Hon'ble Mr.Justice T.Raja

Writ Petition No.25865 of 2017

P.Arockiya Mary

...Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation,
Salem Division, Ramakrishna Road,
Salem - 636 007

2. The General Manager,
Tamilnadu State Transport Corporation,
Head Office, Bharathipuram
Dharmapuri - 636 705

3. N.Pannerselvam

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to initiate disciplinary proceedings against the petitioner's husband, 3rd respondent herein and withhold his service benefits.

For Petitioner: Mr.D.Balachandran

ORDER

The petitioner has come to this Court for a direction to the respondents to initiate disciplinary proceedings against her husband, 3rd respondent herein and to withhold his service benefits.

2. The case of the petitioner is that her husband, namely, Mr.N.Panneerselvam, DR.No.5555 / 3rd respondent was working as a driver in Tamilnadu State Transport Corporation, Harur Branch, Dharmapuri District and they got married on 05.03.1984 at Mt.Carmel Church in Dharmapuri District. After marriage, the petitioner's name was entered in the service register of her husband and they have also adopted a daughter, by name Esthar Rani. While they were living together, the petitioner's husband purchased a property, namely, a built up house in K.Morur village with the contribution made by the petitioner.

3. It is further stated that the petitioner has also given money, in the form of jewels, which were received from her parents. In the meanwhile, the petitioner's husband said to have developed illicit intimacy with one Rajeswari, a married woman with children. Subsequently, the petitioner and her adopted daughter were tortured by the petitioner's husband, 3rd respondent and he sometimes assaulted them brutally. Subsequently, the petitioner and her adopted daughter were left in lurch. Consequently, the adopted daughter's education was also discontinued. While so, the petitioner's husband had obtained voluntary retirement from service and he is about to receive all his service benefits. Hence the present writ petition is filed with the above said prayer.

4. Now, the learned counsel appearing for the petitioner has not even produced any document to show that the petitioner's husband had married another lady, namely, Rajeswari. If the petitioner is aggrieved, she has to work out her remedy by approaching the appropriate forum, however, till date, not even a police complaint is made and this Court is unable to conduct any roving enquiry. Therefore, this Writ Petition is dismissed, however, with liberty to the petitioner to workout her remedy in the manner known to law, if she is so advised. No costs.

sd/

ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

ssd

To

1. The Managing Director,
Tamilnadu State Transport Corporation,
Salem Division, Ramakrishna Road, जयते
Salem - 636 007

2. The General Manager,
Tamilnadu State Transport Corporation,
Head Office, Bharathipuram
Dharmapuri - 636 705

+1 CC to Mr.D.BALACHANDRAN, Advocate Sr.No.71288

W.P.No.25865 of 2017

MG (CO)

NR 22/11/2017