

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.16374 of 2017

ORDER:

Petitioner claims as legally wedded wife of respondent No.5. There appears to be an internal dispute between petitioner and respondent No.5, who filed Maintenance Case No.8 of 2017, which is pending in the Court of Judicial Magistrate of First Class, Bhadrachalam. Petitioner also filed Domestic Violence Case and the same is pending. At this stage, this Writ Petition is filed alleging that respondent No.5 is due for retirement in May, 2017 and he would be withdrawing all his retirement benefits without paying any amount to her.

In this Writ Petition, petitioner is seeking a direction to mandate the employer not to release the amounts to respondent No.5.

No such direction can be issued at this stage. No obligation can be imposed on the employer to withhold retirement benefits of petitioner. Petitioner has already filed M.C. and the same is pending consideration before the competent Court. Sufficient legal remedies are available to petitioner and she has availed the same. Without pursuing such remedies, petitioner cannot invoke

the jurisdiction of this Court under Article 226 and seek relief from this Court.

Writ Petition is not maintainable and is accordingly dismissed, leaving it open to petitioner to workout her remedies as available under law.

Pending miscellaneous applications, if any, shall stand closed in consequence.

28th APRIL, 2017.

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P. NAVEEN RAO, J

