

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE T.RAJANI

WRIT PETITION NO.11886 OF 2001

ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The order of the Lok Adalath in L.S.A.No.350 of 2001, directing the District Registrar not to disburse the retirement benefits of the respondent-Junior Assistant until the dispute between his legal wife and his mother is resolved, is questioned in this Writ Petition as without jurisdiction and by order, in WPMP.No.14717 of 2001 dated 19.06.2001, a Division Bench of this Court held that the impugned order was without jurisdiction and, accordingly, suspended the order. The said interim order has been in force, for the past sixteen years, till date.

The Lok Adalath, constituted under the Legal Services Authority Act, lacks jurisdiction to grant interlocutory orders, much less interlocutory orders directing that the terminal benefits of a government servant be withheld till the matter is resolved by the competent Family Court regarding grant of maintenance to the wife of the petitioner. In any event, in view of the interim order passed on 19.06.2001 in WPMP.No.14717 of 2001, the petitioner must have withdrawn all the terminal benefits. It is evident, therefore, that the cause in the Writ Petition does not survive; and the Writ Petition has become infructuous.

The Writ Petition is, accordingly, dismissed as infructuous. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, ACJ)

(T.RAJANI, J)

21st June 2017
RRB

