

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.13287 of 2019

and

WMP.No.13390 of 2019

K.Manimekalai

...Petitioner

Vs

1. Oil and Natural Gas Corporation Ltd,
Rep by its Chairman and Managing Director,
No.5, Nelson Mandela Marg,
Vasant Kunj, New Delhi - 110070.
2. The Manager (HR),
ONGC Ltd.,
CMDA Tower I, No1 Gandhi Irwin Road,
Egmore, Chennai - 600 008.
3. A.C.N.Sivasubramani,
S/o. Nallappan,
Senior Survey Officer, ONGC Ltd,
Thalamuthu Natarajan Building (CMDA Tower-I),
Egmore, Chennai - 600 008.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Mandamus, directing the 1st and 2nd respondent to consider the representation of the petitioner dated 24.04.2019 sent to the 1st and 2nd respondents and deposit a sum of Rs.50,00,000/- from and out of the terminal benefits of the 3rd respondent due to be paid to the 3rd respondent upon retirement on the file of this Hon'ble Court till the conclusion of the proceedings in DVC.No.7 of 2018 on the file of the Chief Judicial Magistrate Court, Coimbatore and calendar case in C.C.No.139 of 2018 on the file of the Judicial Magistrate, Fast Track Court No.II, Coimbatore.

For Petitioner : M/S.S.Varsha

O R D E R

The writ on hand is to direct the respondents to stop the disbursement of terminal and pensionary benefits of the 3rd respondent who is none other than the husband of the writ petitioner. As far as the service benefits of an employee is concerned, the wife cannot maintain the writ petition for the purpose of stalling the terminal benefits due to the employee.

2. However, a husband is duty bound to maintain the wife and children. The writ petitioner is certainly entitled for a remedy for maintenance of herself and children. However, appropriate forum should be approached for the purpose of redressal of his grievances. At this juncture, the learned counsel of the writ petitioner made a submission that, he would withdraw the writ petition and approach the authorities for appropriate relief. Accordingly, the writ petition stands dismissed as withdrawn. Consequently connected MP is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Pkn

To

1. Oil and Natural Gas Corporation Ltd,
Rep by its Chairman and Managing Director,
No.5, Nelson Mandela Marg,
Vasant Kunj, New Delhi - 110070.

2. The Manager (HR),
ONGC Ltd.,
CMDA Tower I, No1 Gandhi Irwin Road,
Egmore, Chennai - 600 008.

+1cc to M/S.Naveenkumar, Advocate Sr.41757

W.P.No.13287 of 2019

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srg 01/07/2019