

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P.No.18609 of 2019

and

WMP.No.17935 of 2019

G.Govindammal

... Petitioner

Vs

1.The Executive Engineer,
Operation 230 KV Sub Station,
Tamil Nadu Electricity Board,
Echur Village & Post,
Cheiyur Taluk,
Thiruvannamalai District.

2.Ganesan

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the first respondent herein to forthwith to not to disburse the retirement benefits, family pension etc. to the second respondent herein without settling the petitioner's family obligations on considering and disposing the petitioner's representation dated 15.06.2019 within a stipulated period of time.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondent 1 : Mr.P.R.Dilipkumar

O R D E R

This Writ Petition has been filed seeking to direct the first respondent herein to forthwith to not to disburse the retirement benefits, family pension etc. to the second respondent herein without settling the petitioner's family obligations on considering and disposing the petitioner's representation dated 15.06.2019 within a stipulated period of time.

2. The case of petitioner is that she is the legally wedded

wife of the second respondent herein who is working as Line Inspector in Tamil Nadu Electricity Board under the control of the first respondent. She was also blessed with two children from and out of wedlock with the second respondent herein. Thereafter, matrimonial dispute arouses between the petitioner and the second respondent / husband. According to the petitioner, her husband / second respondent again married her own younger sister namely Bakiyalakshmi while his marriage with the petitioner is subsisting. He deserted the petitioner and children and started living with the said Bakiyalakshmi. It appears that a criminal complaint was lodged against the second respondent by the son of the second respondent and it was pending before the concerned Police and the second respondent also filed divorce petition before the Sub Court, Cheiyar.

3. According to the petitioner, she reliably learnt that the second respondent is going to retire on attaining the age of superannuation. Therefore, she made representation on 15.06.2019 to the first respondent requesting for retirement benefits including family pension, be granted to her since she is entitled to be the legally wedded wife of the second respondent and also requested not to disburse the same to any other person. The grievance of the petitioner is that despite the representation no action has been taken by the first respondent till date. Hence, the petitioner has come forward with the present Writ Petition.

4. The learned counsel for the petitioner would submit that it would suffice to issue direction to the first respondent to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the first respondent to dispose of the representation, if not disposed of already after affording opportunity to the interested person, within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

bkn

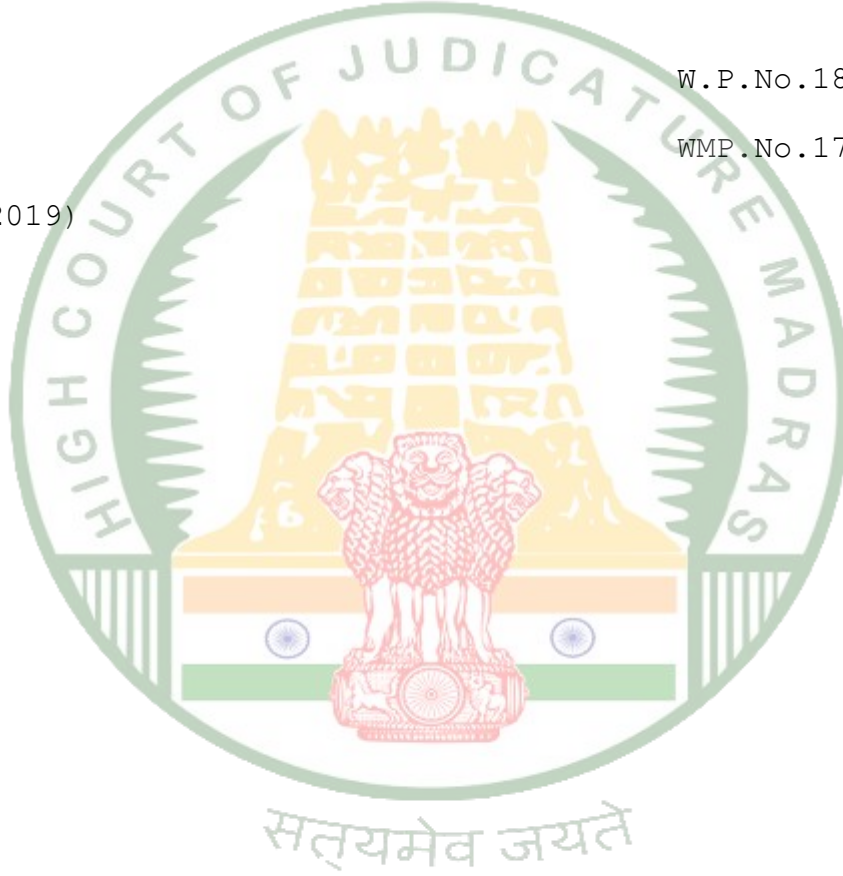
To

The Executive Engineer,
Operation 230 KV Sub Station,
Tamil Nadu Electricity Board,
Echur Village & Post,
Cheiyur Taluk, Thiruvannamalai District.

+1cc to Mr.B.Ganesha Moorthy, Advocate, S.R.No. 84908
+2cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No. 84747, 84843

CA (CO)
GN (17/12/2019)

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