

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.01.2019

CORAM
THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.16831 of 2017
and
W.M.P.No.18279 of 2017

D.Latha

...Petitioner

vs.

1. The General Manager (HRM)
Indian Bank,
Corporate Office, Avvai Shanmugam salai,
Royapettah, Chennai - 600 014.
 2. The Deputy General Manager,
Indian Bank,
Zonal Office,
3rd Floor, Divya Towers,
15/1, Fort Main road,
Opp. Government Super Speciality Hospital,
Salem - 636 001.
 3. A.Sangili
- ... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to disclose the retirement benefits due to their employee A.Sangili (S.R.No.2523843), the 3rd respondent to facilitate the implementation of the Agreement dated 11.08.2016 read with the docket order dated 28.01.2017 passed by the I Additional Family Court, Chennai in I.A.No.1393 of 2016 in O.S.No.142 of 2016.

For Petitioner : Ms.G.Chamkiraj

For Respondents: Ms.S.Revathi G.Mohan for R1
Mrs.S.R.Sumathi for R2
Mr.Sugumar for R3.

O R D E R

The prayer in this writ petition is for a Mandamus directing the 1st and 2nd respondents to disclose the retirement benefits due to the 3rd respondent to facilitate the implementation of the agreement dated 11.08.2016 entered before the First Additional Family Court, Chennai in I.A.No.1393/2016 in O.S.No.142/2016.

2. Heard both sides.

3. It seems that the petitioner and the 3rd respondent is having some matrimonial dispute which is pending before the Family Court in O.P.No.3766/2010 as well as in the Civil Court in O.S.No.142/2016. The petitioner claims that she is entitled to get 50% terminal benefits in pursuant to the agreement entered into between the petitioner and the 3rd respondent in I.A.No.1393/2016 in O.S.No.144/2016.

4. A counter affidavit is filed by the first respondent wherein it is stated that the terminal benefits payable to the 3rd respondent is Rs.17,81,116.32. However, the petitioner disputes the said contention.

5. In any event, as the prayer sought for in this writ petition is seeking for a Mandamus directing the 1st and 2nd respondents to disclose the retirement benefits due to the 3rd respondent, this Writ Petition is disposed of by directing the 1st and 2nd respondents to inform the petitioner in writing as to how much is the actual retirement benefits payable to the 3rd respondent. Such communication shall be issued to the petitioner within a period of two weeks from the date of receipt of a copy of this order. After getting such communication, it is open to the petitioner to work out her remedy against the 3rd respondent before the Court where the civil and matrimonial disputes are pending. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1.The General Manager (HRM)
Indian Bank,
Corporate Office, Avvai Shanmugam salai,
Royapettah,
Chennai - 600 014.

2.The Deputy General Manager,
Indian Bank,Zonal Office,
3rd Floor, Divya Towers,
15/1, Fort Main road,
Opp. Government Super Speciality Hospital,
Salem - 636 001.

+1cc to Mr.K.Elango, Advocate, S.R.No.3649
+1cc to Mr.S.R.Sumathy, Advocate, S.R.No.3635
+1cc to Mr.Sugumar, Advocate, S.R.No.3901.

W.P.No.16831 of 2017

KK(CO)

rrs 14/02/2019



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