



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.03.2021

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P. (MD)No.4502 of 2017

and

W.M.P (MD)No.3603 of 2017

WEB COPY

T.Surya Prabha

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kanyakumari Depot,
Kanyakumari District.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kattapomman Nagar,
Tirunelveli Division-III
Tirunelveli District.

3.The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Nagercoil Region,
Ranithottam,
Nagercoil-629 001,
Kanyakumari District.

4.Dharmalingam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to withhold the 50% of the retirement benefits belonging to the 4th respondent herein and consequently, deposit 50% retirement benefit in any one of the Nationalized Banks till attain majority.

For Petitioner : Mr.T.Selvakakumarn

For R1 to R3 : Mr.K.Sathiyasingh
Standing Counsel



O R D E R

This writ petition has been filed for a direction to the respondents 1 to 3 to withhold 50% of the retirement benefits belonging to the fourth respondent and consequently, deposit 50% retirement benefit in any one of the Nationalized Banks, till attain majority.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the wife of the fourth respondent and there was a matrimonial dispute between them, in which, maintenance was awarded in favour of the petitioner and that amount was not settled to the petitioner. Hence, the present writ petition is filed.

3.The learned Standing Counsel appearing for the respondents 1 to 3 submitted that during the pendency of this Writ Petition, the terminal benefits were settled to the petitioner and hence, nothing survives for adjudication in this Writ Petition.

4.In view of the above, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. However, liberty is granted to the petitioner to work out her remedy in the manner known to law, if any amount is due.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

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Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
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Kanyakumari District.

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Tamil Nadu State Transport Corporation,
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Tirunelveli Division-III
Tirunelveli District.



3.The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Nagercoil Region,
Ranithottam,
Nagercoil-629 001,
Kanyakumari District.

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-10646[F] dated
12/03/2021)

+1 CC to M/s.T.SELVAKUMARAN, Advocate SR-11464[F] dated 16/03/2021

W.P. (MD)No.4502 of 2017
12.03.2021

PM(CO)
TR(26.03.2021) 3P 6C