



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.5531 of 2022

Kalaivani

...Petitioner

vs.

1.The District Collector
Collectorate, Fort, Salem-1

2.The District Revenue Officer
Collectorate, Fort, Salem-1.

3.The Revenue Divisional Officer
Collectorate, Fort, Salem-1.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing respondents to consider the representations dated 12.02.2021 and 14.06.2021.

For Petitioner : Mr.T.Shanmugam

For Respondents : Mr.S.Rajesh

Government Advocate

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing respondents to consider the representations dated 12.02.2021 and 14.06.2021.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The case of the writ petitioner is that the petitioner got married to one Prakash on 09.09.2002 and due to their wedlock, they blessed with two children and he was working as Senior Revenue Assistant at Collectorate. The petitioner's husband has filed H.M.O.P No.321 of 2013 before the Family Court, Salem, for divorce and the same was dismissed on 12.02.2021. Therefore, the relationship between the petitioner



and her husband is still alive. The petitioner alleged that the petitioner's husband is having illegal affair with one Saraswathy and therefore, she made a complaint to the respondents to initiate action against her husband for gross violation of Tamil Nadu Governing Rules by unlawful marriage. But, no action has been taken by the respondents. The petitioner was also constrained to give a complaint on 29.04.2019 to the District Welfare Officer and both the petitioner and her husband were appeared for the enquiry before the officer concerned. There has been no further action taken for the aforesaid complaint. Subsequently, she made representations on 12.02.2021 and 14.06.2021 to the respondents, but, till date no action has been taken. Hence, the present writ petition.

4. On considering the said fact that the petitioner made an allegation in the representation dated 12.02.2021, as against her husband that he is having illegal affair with one Saraswathy. To prove the aforesaid claim of allegation made by the petitioner, she has not placed any supporting materials. The petitioner having alternative remedy to approach before the concerned forum to establish the allegation against the said person, she has approached this Court. Therefore, this Court is of the view that the present writ petition cannot be entertained at this stage and the same is liable to be rejected. However, this Court will not stand on the way of the respondents to consider the petitioner's representation, if it is permissible under law.

5. With the above observation, the writ petition stands dismissed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The District Collector
Collectorate, Fort, Salem-1

2.The District Revenue Officer
Collectorate, Fort, Salem-1.



3.The Revenue Divisional Officer
Collectorate, Fort, Salem-1.

+1 CC to Mr.T.Shanmugam, Advocate sr 16958

+1 CC to The Special Government Pleader, sr 17034.

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SKM(CO)
SP(28/03/2022)