



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 13762 of 2017

Kandayee

...Petitioner

-vs-

- 1.The Secretary,
Central Vigilance Commission,
New Delhi.
- 2.The Vigilance Officer,
O/o. the Chief General Manager,
BSNL, Thennai TD,
Door No. 78, 5th Floor,
Purasaiwakkam High Road,
Chennai - 600 010.

3.Kavery

...Respondents

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to initiate appropriate action based on the complaint dated 29.06.2016 given by Mr. Rajasekaran on behalf of the Petitioner.

For Petitioner : Mr. R. Pushparaj

For Respondents : No appearance (for R1)

Mr. A. Rameshkumar (for R2)

Mr. R. Poornima (for R3)

O R D E R

Heard Mr. R.Pushparaj, Learned Counsel for the Petitioner, Mr. A.Rameshkumar, Learned Counsel for the Second Respondent and Mr. R.Poornima, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.



2. It is the case of the Petitioner that one M.Rajasekaran had made representation on her behalf against the Third Respondent and as no action was taken thereon by the Second Respondent, this Writ Petition has been filed. On a perusal of the said representation dated 29.06.2016, the grievance ventilated by the Petitioner was that her husband, viz., E.Shanmugam, had married the Third Respondent and after his death, the Third Respondent had received the terminal benefits due to her husband and had also been appointed on compassionate grounds with divulging the fact that the Petitioner was the second wife of the said E. Shanmugam and in view of his bigamous conduct, the Third Respondent is not entitled to the terminal benefits or the compassionate appointment.

3. In the Counter-Affidavit filed by the Second Respondent, it has been stated that the terminal benefits of the said E.Shanmugam had been paid to the Third Respondent on 09.03.1989 and she has been receiving monthly pension on submission of 'No Objection' Certificate dated 15.07.1988 from the Petitioner for the same and its copy has been produced.

4. Having regard to the fact the the terminal benefits of the said E.Shanmugam had been paid to the Third Respondent with the concurrence of the Petitioner, it is futile at this distance of time to delve into the question of making such payment to her and there does not appear to be any justification to act on her representation to effect recoveries from the Third Respondent in that regard. In such circumstances, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

skr

To

1. The Secretary,
Central Vigilance Commission,
New Delhi,



2. The Vigilance Officer,
O/o. the Chief General Manager,
BSNL, Thennai TD,
Door No. 78, 5th Floor,
Purasaiwakkam High Road,
Chennai - 600 010.

+1cc to Mr.A.Ramesh Kumar, Advocate SR. No. 32361
+1cc to Mr.E.P.Senniyangiri, Advocate SR. No. 32879

W.P. No. 13762 of 2017

GSM (CO)
PR (13/06/2022)