



WEB COPY



W.P.No.32919 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32919 of 2022

P.Umamaheswari

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by Secretary to Government,
Revenue Department,
Fort St.George, Secretariat,
Chennai - 600 009.

2. The District Collector,
Krishnagiri District.

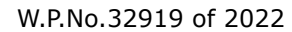
3. Rathinakumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to take appropriate disciplinary action against the third respondent in accordance with law including under the Tamil Nadu Government Servants Conduct Rules 1973.

For Petitioner : Mr.R.Prathap Kumar

For Respondents : Ms.Jayanthi
Additional Government Pleader
for R1 & R2



By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Ms.Jayanthy, learned Additional Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the 1st and 2nd respondents to take appropriate disciplinary action against the 3rd respondent, within a time frame to be fixed by this Court.

4. The petitioner claims that the 3rd respondent is her husband, who is working as a Senior Revenue Inspector in the Office of the District Collector, Krishnagiri District and had married her suppressing his first marriage. In such circumstances, the petitioner has given a representation on 26.08.2022 to the respondents 1 & 2 requesting them to take disciplinary action against the 3rd respondent for marrying the petitioner by suppressing his first marriage. Since the representation has not been considered till date, the petitioner has filed this writ petition.



W.P.No.32919 of 2022

WEB COPY

5. Heard Mr.R.Prathap Kumar, learned counsel for the petitioner and Ms.Jayanthi, learned Additional Government Pleader for the 1st and 2nd respondents.

6. This Court is of the considered view that no prejudice would be caused to the respondents, if a direction is issued to the respondents to consider the petitioner's representation as stated supra on merits and in accordance with law after affording a fair hearing to the 3rd respondent, whom the petitioner claims that he had married her suppressing his first marriage.

7. The petitioner has filed documents in support of this writ petition to substantiate her case that the 3rd respondent had married her suppressing his first marriage and it is for the respondents to consider the same on merits and in accordance with law.

8. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 26.08.2022 requesting the 2nd



W.P.No.32919 of 2022

respondent to take disciplinary action against the 3rd respondent for marrying her suppressing his first marriage after affording a fair hearing to the 3rd respondent within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the aforesaid direction, the writ petition is disposed of. No costs.

07.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
ham/vsi2



W.P.No.32919 of 2022

WEB COPY

- To
1. The Secretary to Government,
Revenue Department,
Fort St.George, Secretariat,
Chennai - 600 009.
 2. The District Collector,
Krishnagiri District.



WEB COPY



W.P.No.32919 of 2022

ABDUL QUDDHOSE, J.

ham

W.P. No.32919 of 2022

07.12.2022