



W.P(MD)No.26259 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26259 of 2022

and

W.M.P(MD)No.20434 of 2022

P.Chinnadurai

... Petitioner

Vs

1.The Managing Director,
TNSTC, Head Office,
Bye-Pass Road,
Madurai.

2.The General Manager,
TNSTC,
Bye-Pass Road,
Dindigul.

3.P.Dhanabalan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 not to disburse the provident fund, other amounts eligible for attachment at the time of Superannuation of the third respondent on the basis of petitioner's representation, dated 10-08-2022.

For Petitioner : Mr.R.G.Shankar Ganesh



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For Respondents : Mr.S.Sivabalaji
Standing Counsel for R.1 & R.2

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the respondents 1 and 2.

2. The petitioner claims to be creditor of the third respondent. The third respondent is employed in the respondent Corporation. He is about to retire. The petitioner wants this Court to restrain the employer from disbursing the third respondent retirement benefits. The petitioner had already filed a civil suit and it has also been decreed. E.P.No.49/2019 is presently pending on the file of Additional District Judge, Dindigul. The petitioner has to necessarily obtain his relief only before the executing Court to work out his private rights against the third respondent, jurisdiction cannot be invoked. Leaving open the petitioner's rights to pursue his remedies before the jurisdictional civil Court, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.11.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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