



W.P(MD)No.27262 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27262 of 2022

Nallayeni

... Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Madurai.

2.Rajendran
3.Uma Devi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to delete the name of the third respondent in the service book of the second respondent from the status of his wife and include the name of the petitioner and her daughter as the legal heirs of second respondent based on the petitioner's application, dated 12.11.2022.

For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.K.K.Kannan
Standing Counsel for R.1

Notice Dispensed With for R.2 & R.3



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ORDER

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Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the first respondent Corporation.

2. Considering the nature of relief to be granted, issuance of notice to the respondents 2 and 3 is dispensed with.

3. The petitioner claims that she got married to the second respondent on 24.01.1988 and a female child was also born. However, the second respondent is said to have deserted the writ petitioner and the child. That led to filing of maintenance case before the Judicial Magistrate Court. The petitioner is also said to have filed O.S.No.21 of 2020 on the file of District Munsif Court, Melur. The petitioner alleges that the second respondent has illegally shown the third respondent as his wife in the service register. It is well settled that only the name of the legally wedded wife can be shown in the service register. The petitioner given a representation in this regard before the first respondent. The first respondent shall enquire into the said representation and pass final order on merits and in accordance with law after putting notice to all the interested parties within a period of twelve weeks from the date of receipt of a copy of this order.



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4. This writ petition is disposed of accordingly. No costs.

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Index : Yes / No

Internet : Yes/ No

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To

The Commissioner,
Madurai Corporation,
Madurai.



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G.R.SWAMINATHAN, J.

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