



Writ Petition No.2782 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2782 of 2023

K.Elumalai
S/o.Kuppusamy

...Petitioner

Vs

1.The Chairman & Managing Director,
Chennai Metro Water Supply and Sewerage
Board,
75, Santhome High Road,
Foreshore Estate, Santhome,
Raja Annamalaipuram,
Chennai - 600 028.

2.The Pension Issuing Officer,
Chennai Metro Water Supply and Sewerage
Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

3.Sumathy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to consider my representation dated 08.07.2022 and to pass order on merits and consequently, direct the respondents to remove the name of Sumathi from



Writ Petition No.2782 of 2023

Form 4 and include the name of my second wife Shanthi in Form 4 within a stipulated time as prescribed by this Court.

For Petitioner : Mr.R.Balaguru Swamy

For Respondents : Mr.Krishna Ravindran
Standing Counsel [R1 & R2]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents 1 and 2 to consider the representation made by the petitioner on 08.07.2022 wherein the petitioner has sought for including the name of his second wife Shanthi in the relevant forms.

2. The case of the petitioner is that he was working as a Scavenger in the Chennai Metro Water Supply and Sewerage Board from the year 1984 onwards and he attained superannuation and retired on 31.01.2021. The pensionary benefits were also settled in favour of the petitioner through proceedings dated 25.01.2021. The petitioner is also receiving pension from 01.02.2021.

3. The petitioner got married to one Malliga in the year 1977. The



Writ Petition No.2782 of 2023

first wife died on 30.12.1992 and the petitioner subsequently got married to one Shanthi on 22.05.2003. It seems that the petitioner got into a relationship with one Sumathi, who is the third respondent in this writ petition and out of compulsion, her name was given as nominee in the relevant forms before the respondents 1 and 2. According to petitioner, he never married the said Sumathi and later, the said Sumathi moved out of the life of the petitioner and she is living with some other person.

4. The petitioner made several representations to the respondents to remove the name of Sumathi from relevant forms and to include the name of his second wife viz., Shanthi. Since the same were not acted upon, the present writ petition has been filed seeking for appropriate direction.

5. Heard Mr.R.Balaguru Swamy, learned counsel for petitioner and Mr.Krishna Ravindran, learned Standing Counsel, appearing for respondents 1 and 2.

6. Taking into consideration the limited relief sought for in this writ



Writ Petition No.2782 of 2023

petition and without going into merits of the case, there shall be a direction to the respondents 1 and 2 to act upon the representation made by the petitioner on 08.07.2022 and carry out necessary correction in the relevant forms after collecting details from the petitioner. This process shall be completed by respondents 1 and 2 within a period of six (6) weeks from the date of receipt of a fresh representation from the petitioner. The petitioner is directed to make a fresh representation to respondents 1 and 2 along with all relevant documents and also a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

03.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

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Writ Petition No.2782 of 2023

N.ANAND VENKATESH, J



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Writ Petition No.2782 of 2023

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Writ Petition No. 2782 of 2023

03.02.2023