



W.P.No.36352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.36352 of 2023
and
W.M.P.No.36334 of 2023

P.Kavitha
W/o.Pazhanisamy

...Petitioner

Vs

1. The Chief Engineer
Mettur Thermal Power Station
Mettur Dam - 6.
2. The Superintending Engineer
Kothikalan Division, Plat-3
Mettur Thermal Power Station
Mettur Dam - 6.
3. The Executive Engineer
Kothikalan Division, Plant - 3
Mettur Thermal Power Station
Mettur dam - 6.
4. Pazhanisamy
S/o.Raji

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus, directing the respondents 1 to 3 to consider



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the representation of the petitioner dated 12.10.2023 seeking to forbear the respondents from disbursing the retiral benefits of 4th respondent pending disposal of the M.C.No.19 of 2023 on the file of the Judicial Magistrate No.II, Mettur and to pass orders.

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.David Sundara Singh
for R1 to R3

ORDER

Mr.David Sundara Singh, learned counsel accepts notice for respondents 1 to 3. By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 12.10.2023 seeking to forbear the respondents from disbursing the retiral benefits of 4th respondent pending disposal of M.C.No.19 of 2023 on the file of the Judicial Magistrate No.II, Mettur.

3. The petitioner is the wife of the fourth respondent. She has preferred a maintenance petition in M.C.No.19 of 2023 on the file of the



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Judicial Magistrate Court No.II, Mettur, claiming maintenance from her husband. In the meanwhile, the husband, who is the fourth respondent is attempting to receive the DCRG from respondents 2 and 3. The petitioner wants a representation dated 12.10.2023 to be considered in the light of the pending maintenance petition.

4. In the light of the fact that the relationship between the parties is admitted, there shall be a direction to the respondents 1 to 3 to consider the representation of the petitioner dated 12.10.2023 within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

28.12.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

mk/ms



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V.LAKSHMINARAYANAN.J.,

mk/ms

To

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Mettur Dam - 6.
2. The Superintending Engineer
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