



W.P.(MD).No.17744 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.17744 of 2020

A.Maris Dominic

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Office of the Chief Educational Office,
Trichy District.
- 2.The District Educational Officer,
Office of the District Educational Office,
Manapparai,
Trichy District.
- 3.The Block Educational Officer,
Office of the Block Educational Office,
Vaiyampatti,
Trichy District.
- 4.A.Edwin Kennedy,
Secondary Grade Teacher,
Panchayat Union Primary School,
Puduvadi, Vaiyampatti,
Manapparai, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.434/A1/2020, dated



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24.08.2020, on the file of the third respondent and quash the same as illegal and consequently to direct the respondents 1 and 3 to enter the name of the E.Shiny Rakshantha, age about 10 years, born to the fourth respondent and to the petitioner in the Service Register of the fourth respondent as one of the nominee.

For Petitioner : Mr.S.Louis

For R-1 to R-3 : Mr.N.Ramesh Arumugam
Government Advocate

For R-4 : No appearance

ORDER

The present writ petition is for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.434/A1/2020, dated 24.08.2020, on the file of the third respondent and quash the same as illegal and consequently to direct the respondents 1 and 3 to enter the name of the E.Shiny Rakshantha, aged about 10 years, born to the fourth respondent and to the petitioner in the Service Register of the fourth respondent as one of the nominee.



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2. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3 and carefully perused the materials available on record.

3. The petitioner married the fourth respondent on 07.06.2009 and out of the matrimony, they were blessed with a female child and her name is E.Shiny Rakshantha. In the mean while, due to in-differences, which crept in the matrimonial life with the petitioner and the fourth respondent, the fourth respondent filed a divorce case before the Principal District Court, Thanjavur in I.D.O.P.No.143 of 2015 and the same is pending. The petitioner has sent a representation to the third respondent to add the name of her daughter E.Shiny Rakshantha as one of the nominee in the Service Register of the fourth respondent. The fourth respondent is presently working as Secondary Grade Teacher in the Vaiyampatti Educational Block. On the basis of her representation, the impugned order came to be passed on 24.08.2020 by the third respondent, stating that the fourth respondent did not give his consent to include the name of his daughter in Service Register as nominee. Challenging the same, this writ petition came to be filed.



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4. The learned Government Advocate for the respondents 1 to 3 has filed a counter affidavit and also submitted that during the pendency of this writ petition, the fourth respondent has given his consent to include the name of E.Shiny Rakshantha as nominee in his Service Register and as a result of which the fourth respondent has given requisition letter on 04.12.2020 to include the name of E.Shiny Rakshantha born to him as nominee in his Service Book.

5. Recording the said submission, this Court is inclined to dispose of this writ petition. In the result, this writ petition stands disposed of. There shall be no order as to costs.

02.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1.The Chief Educational Officer,
Office of the Chief Educational Office,
Trichy District.



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- 2.The District Educational Officer,
Office of the District Educational Office,
Manaparai,
Trichy District.
- 3.The Block Educational Officer,
Office of the Block Educational Office,
Vaiyampatti,
Trichy District.
- 4.The Secondary Grade Teacher,
Panchayat Union Primary School,
Puduvadi, Vaiyampatti,
Manapparai, Trichy District.



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L.VICTORIA GOWRI, J.

BTR

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