



WEB COPY



W.P.No.3975 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2024

CORAM

THE HONOURABLE **MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.3975 of 2024

P.Muthulakshmi

...Petitioner

Vs.

- 1.The Superintending Engineer,
Office of the Superintending Engineer,
No.56 B, EDC, Tiruchy Road,
Palladam 641 664
- 2.The Executive Engineer,
Tamilnadu Electricity Board,
PSG Lodge,
Chennimalai Road,
Kangayam,
Tirupur District
- 3.Assistant Electrical Engineer,
Office of the Tamilnadu Electricity Board,
Kaspa PalayaKottai,
Nathakkadaiyur Post,
Kangayam Taluk,
Tirupur District

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to provide the pension and retirement benefits to the petitioner based on the service book entry by considering the representation dated 15.12.2023.

For Petitioner : Mr.N.Stalin



WEB COPY



W.P.No.3975 of 2024

For Respondents

: Mr.K.Rajkumar,
Standing Counsel

ORDER

This writ petition has been filed for direction to the respondents to consider the case of the petitioner to provide pension and retirement benefits based on the service book entry of her deceased husband.

2. One, Palanisami, while working under the respondents as Poreman died in harness on 14.03.2023. He got married one, Palanal and gave birth to two children. Thereafter due to misunderstanding, they got separated and he was living with the petitioner. Through the petitioner also, he gave birth to two children. Therefore the petitioner, claiming to be the wife of the deceased Palanisamy, claiming retirement benefits and family pension on the demise of the said Palanisamy. Admittedly, he got married one, Palanal and she is very much alive. Unless and until no divorce decree between the deceased Palanisamy and Palanal, the living relationship with the petitioner cannot be considered as the petitioner is the wife of the said Palanisamy. Therefore, the request made by the petitioner cannot be



W.P.No.3975 of 2024

considered. As such, this writ petition is devoid of merits and liable to be dismissed.

3. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to approach the civil court to declare herself as the legally wedded wife and if the petitioner is declared as legally wedded wife, she is entitled for the above benefits. It is also made clear that any proceedings initiated by the petitioner is not an impediment for the respondents to disburse the above benefits to the first wife. There shall be no order as to costs.

20.02.2024

lok



WEB COPY



W.P.No.3975 of 2024

G.K.ILANTHIRAIYAN, J.

lok

To

- 1.The Superintending Engineer,
Office of the Superintending Engineer,
No.56 B, EDC, Tiruchy Road,
Palladam 641 664
- 2.The Executive Engineer,
Tamilnadu Electricity Board,
PSG Lodge,
Chennimalai Road,
Kangayam,
Tirupur District
- 3.Assistant Electrical Engineer,
Office of the Tamilnadu Electricity Board,
Kaspa PalayaKottai,
Nathakkadaiyur Post,
Kangayam Taluk,
Tirupur District

W.P.No.3975 of 2024

20.02.2024