



W.P.No.14441 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2024

CORAM:

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

W.P.No.14441 of 2022

S.Rudrayani

...Petitioner

-Vs-

1. The Managing Director,
TWAD Board,
No.31 Kamarajar Salai,
(Head Office) Chempauk,
Chennai – 5.
2. The Executive Engineer Maintenance
Division, TWAD Board,
(Pillur) Villangkurichi Road,
Peelamedu, Coimbatore – 4.
3. Manoharan
4. M.Santha Mani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondents to enquire and investigate about the third respondent's 2nd marriage and removal of the name of the petitioner as “wife” in the service register/pension profile of the third respondent, restore the name of the petitioner in the “wife status column” of the service



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register/pension profile of the third respondent lying in the first respondent office.

For Petitioner : Mr.DJ.Adinarayanan

For Respondents

For R1 & R2 : Ms.Megala

For R3 : No appearance

For R4 : Mr.B.Gopalakrishnan

ORDER

This writ petition has been filed for direction to direct the respondents 1 & 2, to enquire and investigate about the third respondent's second marriage with the fourth respondent and to restore the name of the petitioner in the “wife status column” of the service register/pension profile of the third respondent lying in the first respondent office.

2. The petitioner got married with the third respondent on 23.11.1975. The third respondent was working as Driver in the first respondent Board and he was retired from service in the year 2016 itself. Due to the misunderstanding between the petitioner and the third respondent, the petitioner got separated from the third respondent. The third respondent filed petition for divorce on the ground of desertion and



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adultery. Though the petitioner was set exparte, subsequently, the main divorce petition itself dismissed on merits by an order dated 13.07.2020.

In the mean while, the third respondent got married the fourth respondent. Therefore, the petitioner lodged complaint before the respondents 1 & 2 as against the third respondent. Since the same was not considered, the petitioner approached this Court by way of this writ petition.

3. Heard the learned counsel appearing on either side and perused the material placed before this Court.

4. Admittedly, the third respondent had retired from service in the year 2016 itself. Therefore, no employer and employee relationship between the respondents 1 & 2 and the third respondent. Therefore, the complaint made by the petitioner cannot be considered by the second respondent at any cost. The petitioner, instead of lodging complaint before the jurisdictional police authorities, lodged complaint before the second respondent. Therefore, the direction sought for in this writ petition cannot be granted and the writ petition is liable to be dismissed.



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WEB COPY 5. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

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Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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To
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G.K.ILANTHIRAIYAN. J,

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