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Writ Petition No.26419 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26419 of 2024

L.Palayam (alias) L.Bhavani
W/o.S.Lakshmanan

... Petitioner

Vs.

1.The Director & Head of Office,
Geological Survey of India,
Government of India,
Ministry of Mines,
No.36-39, Inner Ring Road,
Guindy, Chennai - 600 032.

2.The Deputy Director General (P&A) & CPIO,
Geological Survey of India,
No.36-39, Guindy,
Chennai - 600 032.

3.The Additional Director General & Head of Department,
Geological Survey of India,
Southern Region,
Bandlaguda, Hyderabad - 500 068.

4.S.Lakshmanan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the first respondent in letter No.2424/F-12013/2/2024-Estt.Acc.TNP-SU/TN&P dated 31.05.2024 and quash the same as being



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illegal, unjust and arbitrary and consequently, direct the first respondent to include the name of the petitioner as the family member of the fourth respondent in Form 4 as required under Rule 50 sub rule 15(a)(i) of the Central Civil Service (Pension) Rules, 2021.

For Petitioner : Mr.D.Ravindranathan

For Respondents : Mr.M.Ramamoorthy,
Senior Panel Counsel [R1 to R3]

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 31.05.2024 and for a consequential direction to first respondent to include the name of the petitioner as a family member in order to enable the petitioner to claim for family pension.

2. Heard Mr.D.Ravindranathan, learned counsel for petitioner and Mr.M.Ramamoorthy, learned Senior Panel Counsel appearing for respondents 1 to 3.

3. The grievance of the petitioner is that she has married the fourth respondent and through the wedlock, two children were also born. All of a sudden, the fourth respondent has deserted the petitioner and gone elsewhere. The petitioner was left in lurch and the petitioner was desperately trying to find the whereabouts of the fourth respondent in



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order to secure her future. The petitioner made a representation to add her name as a family member in the service record of the fourth respondent.

4. The first respondent, through proceedings dated 31.05.2024, has rejected the representation made by the petitioner on the ground that it is a clear case of private dispute between the petitioner and the fourth respondent and that the same cannot be resolved by the first respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

5. In the considered view of this Court, there is a family dispute between the petitioner and the fourth respondent. This dispute cannot be resolved by the official respondents and the petitioner has to necessarily resolve this dispute only before the appropriate forum in the manner known to law. The official respondents cannot be directed to resolve the personal dispute between the petitioner and the fourth respondent. Therefore, liberty is granted to the petitioner to work out her remedy before the appropriate forum in accordance with law.

N.ANAND VENKATESH, J

gm



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In the result, this writ petition is disposed of in the above terms.

No costs.

11.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

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