



W.P.(MD)No.9277 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.9277 of 2023 &

W.M.P.(MD)Nos.8334, 18016, 21361 & 24148 of 2023

C.Esther Leela

... Petitioner

vs.

1.The Chief Educational Officer,
Dindigul District.

2.The District Educational Officer (Elementary)
Dindigul, Dindigul District.

3.The Principal Accountant General (A&E),
O/o.the Principal Accountant General (A&E),
361, Anna Salai, Chennai - 600 018.

4.The Block Educational Officer,
Dindigul Rural Block, Dindigul District.

5.CSI Primary School,
Represented by its Correspondent,
Vittal Naickenpatti, Lakshmipuram,
Dindigul Rural Block, Dindigul District.

6.K.Samuel Rajendran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus forbearing the fifth respondent from
forwarding the pension proposal of the sixth respondent without



W.P.(MD)No.9277 of 2023

mentioning the name of the petitioner as nominee as per the Rule 48 of the Tamil Nadu Pension Rules, 1978.

For Petitioner : Mr.T.Aswin Rajasimman
for M/s.Lajapathi Roy and Associates
For Respondents : Mr.M.Siddharthan,
Additional Government Pleader
for R1, R2 and R4
Mr.P.Gunasekaran for R3
Mr.S.Arjun for R6
No appearance for R5

ORDER

The petitioner has filed this writ petition to issue a writ of mandamus forbearing the fifth respondent from forwarding the pension proposal of the sixth respondent without mentioning the name of the petitioner as a nominee.

2. The petitioner who is the wife of the sixth respondent has tried to settle her family disputes by filing writ petition before the Service Court. However, it is learnt from the submissions made before this Court that the sixth respondent has given the name of the petitioner as a nominee for family pension and for issuance of joint pension payment order.



W.P.(MD)No.9277 of 2023

WEB COPY

3. Mr.S.Arjun, learned counsel appearing for the sixth respondent has submitted that DVOP proceedings are pending between the petitioner and the sixth respondent before the Additional Mahila Court, Sivagangai in D.V.O.P No.2 of 2023.

4. The petitioner can workout her remedy in the DVOP Proceedings initiated by her and resolve the dispute between her and the sixth respondent. But, the petitioner cannot prevent the authorities from sending pension proposal of a Government Servant. Obviously, the petitioner has filed this writ petition without any *locus standi*.

5. In view of the same, the writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

02.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
mbi



W.P.(MD)No.9277 of 2023

WEB COPY To

- 1.The Chief Educational Officer,
Dindigul District.
- 2.The District Educational Officer (Elementary)
Dindigul, Dindigul District.
- 3.The Block Educational Officer,
Dindigul Rural Block,
Dindigul District.



WEB COPY



W.P.(MD)No.9277 of 2023

R.N.MANJULA, J.

mbi

W.P.(MD)No.9277 of 2023

02.04.2024