



W.P.(MD)No.13062 of 2023
and W.M.P(MD)Nos.11058, 26313 & 26315 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.13062 of 2023

and

W.M.P(MD)Nos.11058, 26313 & 26315 of 2023

M.Manimegalai

... Petitioner

VS

1.The Secretary to Government,
Medical and Rural Health and Family Welfare Department,
St. George Fort,
Chennai – 600 009.

2.The Director,
Public Health Disease Preventive Department,
Chennai – 600 006.

3.The Deputy Director,
Public Health Department,
Government Multi-Speciality Campus,
Theni.

4.The Block Medical Officer,
Block Primary Health Centre,
Veerapandi,
Theni District.

5.P.Muthu

... Respondents

1/5



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents 1 to 4 herein to disburse the reasonable retirement benefits, to the petitioner as a legally wedded wife on account of attaining superannuation of the 5th respondent on 31.06.2023.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 to R4
Mr.K.C.Ramalingam for R5

* * * * *

ORDER

The instant writ petition has been filed by the wife of the fifth respondent herein, who is a retired government servant. It is an admitted fact that the fifth respondent was working as Male Nursing Assistant and he had retired from service on 30.06.2023. Apprehending that the fifth respondent may share his pensionary benefits with some third parties, the present writ petition has been filed seeking a mandamus to disburse reasonable retirement benefits to the writ petitioner as a legally wedded wife.



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2.The perusal of the averments clearly indicate that the petitioner is seeking maintenance from her husband. This Court cannot pass any order in exercising its power under article 226 of the Constitution of India to grant maintenance to the writ petitioner. The petitioner is at liberty to approach the competent Court seeking maintenance from her husband, if she is so advised.

3.With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

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R.VIJAYAKUMAR, J.

RJR

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