



W.P.(MD) No.16534 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.16534 of 2018

G.Sujatha

... Petitioner

Vs.

- 1.The Joint Registrar of Co-operative Societies,
O/o. the Joint Registrar of Co-operative
Societies,
Beach Road, Puthu Palayam,
Cuddalore, Cuddalore District – 607 001.
- 2.The Deputy Registrar of Co-operative Societies,
O/o. the Deputy Registrar of Co-operative
Societies,
Junction Road, Viruthachalam,
Cuddalore District – 606 001.
- 3.Mr.S.Murugesan
Secretary,
Urban Co-operative Bank (Agriculture),
Ponnadam, Thittakudi Taluk,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the first and second respondents to consider and pass orders on the petitioner's representation dated 18.05.2018.



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For Petitioner : Mr.S.Louis
For R1 : Mr.S.Kameswaran
Government Advocate
For R2 & R3 : No appearance

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the first and second respondents to consider and pass orders on the petitioner's representation dated 18.05.2018.

2. The petitioner is an estranged wife of the third respondent, with whom, the petitioner had matrimonial dispute. It appears that the petitioner had sent a representation dated 18.05.2018 to the first and second respondents to direct the third respondent to pay amounts for the hospital expenses borne by the petitioner for their daughter for her Spinal Card Surgery at Vellammal Medical College Hospital and Research Institute and Ganga Medical Centre and Hospitals Pvt. Ltd.

3. The learned counsel for the petitioner submits that neither the maintenance that was agreed before the Legal Aid Centre nor the aforesaid expenses was paid by the third respondent.



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WEB COPY 4. The learned Government Advocate for the first respondent submits that during the interregnum, the third respondent has passed away and terminal benefits have not been given to the petitioner. On the other hand, learned Government Advocate for the first respondent submits that since the third respondent has passed away, nothing survives for further adjudication in this Writ Petition.

5. Having considered the submissions made by the learned counsel for the petitioner and the learned Government Advocate for the first respondent, this Writ Petition is disposed of by directing the first and second respondents to consider the request of the petitioner for release of terminal benefits to the petitioner if the petitioner has documents to establish that she is the legal wife of the third respondent. In any event, the petitioner is directed to give a fresh representation to the first and second respondents within a period of 30 days from the date of receipt of a copy of this order.

6.If the petitioner gives such representation, the first and second respondents, as the case may be, shall consider the petitioner's request and



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pass appropriate orders on the petitioner's representation. Needless to state, if there is any rival claim by the persons associated with the petitioner's husband, i.e., the third respondent stated to be living, they may also be heard before the orders are passed.

7. In the result, this Writ Petition stands disposed of. No costs.

07.06.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order

JEN

Copy To:

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O/o. the Joint Registrar of Co-operative Societies,
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C.SARAVANAN, J.

JEN

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