



WP(MD)No.23579 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.23579 of 2022

B.Vijaya

.. Petitioner

v.

1.The Registrar of Co-operative Societies,
N.V.N.Maligai,
170 Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.

2.The Regional Deputy Registrar (Housing),
Trichy.

3.N.Balasubramanian

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent 1 & 2 to deduct the amount payable to the petitioner by the third respondent towards the maintenance from the total amount of subsistence allowance payable to the third respondent by the respondents 1 & 2 within a time frame.



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For Petitioner : Mr.S.Louis

For Respondents : Mr.K.Balasubramani,
Special Government Pleader
for R.1, R.2

Mr.P.Ganapathi Subramani for R.3

ORDER

The petitioner is the wife of the third respondent. It appears they are living separately. The petitioner has filed an application seeking maintenance from the third respondent and the same was ordered in O.S.No.52 of 2018 by the learned Principal District Judge, Cuddalore. The petitioner, with a grievance that the third respondent has not paid the maintenance amount, as directed by the Court, has made a request to the respondents 1 & 2 to attach his salary. In the meantime, it appears that this third respondent was placed under suspension and now, he is drawing subsistence allowance. Therefore, this petitioner has made a request to attach the subsistence allowance granted to the third respondent and has also filed this writ petition.



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2. Admittedly, there is no provision in the statute enabling the petitioner to attach the subsistence allowance of an employee. In the absence of any provisions, this Court cannot issue any mandamus by entertaining this writ petition.

Accordingly, this writ petition is dismissed. It is open to the petitioner to work out her remedy in the manner known to law. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
gk

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