



W.P.No.30746 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.30746 of 2019 and
W.M.P.No.30833 of 2019

G.Lakshmi Gunasekaran

... Petitioner

Vs.

- 1.Military Engineer Services,
Rep. by its Garrison Engineer, Avadi,
Muthanpudupet, I.A.F. Post,
Avadi, Chennai - 600 055.
- 2.The Assistant Garrison Engineer (I),
Research and Development,
Avadi, Chennai 600 054.
- 3.The Assistant Garrison Engineer,
Military Engineer Services,
B/R North, G E (Avadi),
Chennai 600 055.
- 4.P.Gunasekaran
- 5.The Commissioner of Police,
Avadi Commissionerate, Avadi,
Chennai.



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6. The Inspector of Police, CCB,
Avadi Commissionerate, Avadi,
Chennai.

(R5 and R6 are suo motu impleaded as per order dated 03.03.2025
in W.P.No.30746 of 2019)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 01.08.2019 within a stipulated time frame.

For Petitioner : Ms.G.Daisy John
For Respondents : Mr.C.Samivel, SCGSC for R1 to R3
Mr.A.M.Ayyadurai, GA for R5 & R6
No appearance for R4

ORDER

This Writ Petition has been filed to direct the first respondent to consider the petitioner's representation dated 01.08.2019 within a stipulated time frame.

2. Heard Ms.G.Daisy John, learned counsel for the petitioner, Mr.C.Samivel, learned Senior Central Government Standing Counsel for R1 to R3 and Mr.A.M.Ayyadurai, learned Government Advocate for R5 & R6 and perused the materials available on record.



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3. The petitioner claims that the fourth respondent is the husband of the petitioner who is working with the third respondent. The petitioner has sent a representation on 13.12.2018 to the second respondent to inform her whether her name with photograph has been given for the purpose of maintaining the service register with regard to the family details and for family pension. The petitioner has earlier filed a Writ Petition in W.P.No.3770 of 2019 for seeking a direction against the second respondent to take action on the representation dated 13.12.2018 and pass orders. The said representation has been considered and rejected on 16.07.2019. In the said order, it is observed that the petitioner's representation was considered after getting explanation from M.Gunasekaran, who is the employee of the third respondent. In the said enquiry, it is revealed that the wife of M.Gunasekaran died and the petitioner tried to misuse the name of the deceased person Lakshmi and tried to get the terminal benefits of M.Gunasekaran.

4. When the third respondent states that the name of his employee is M.Gunasekaran, the petitioner claims that the employee's name is



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P.Gunasekaran. However, it is for the third respondent employer to confirm what is the initial of Gunasekaran who was working with the third respondent. The petitioner has already given a police case with the Inspector of Police, CCB, Avadi Commissionerate.

5. The learned Government Advocate for the respondents 5 and 6 submitted that a complaint has been received from the petitioner and the same is under investigation. If the investigation done by the 5th and 6th respondents in this regard reveals any mal practice on the part of the fourth respondent or any other private party, it is appropriate for the third respondent to pass an order basing on the investigation report. As such, the third respondent is incapable to pass any orders without getting any investigation report from the 5th and 6th respondents. The third respondent shall co-operate for investigation by producing the relevant records as and when required by the Investigation Officer. As the representation of the petitioner has already been disposed, now it is learnt that the petitioner's entitlement depends upon the investigation report filed by the 5th and 6th respondents.



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6. With the above observations, this Writ Petition is disposed and the respondents 5 and 6 are directed to complete the investigation as early as possible and inform the result of the investigation to the third respondent in order to enable him to pass appropriate orders on the representation now made by the petitioner within a period of four weeks from the date of result of the investigation. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

01.04.2025

Speaking / Non-speaking

Neutral Citation : Yes / No

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R.N.MANJULA, J.

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To

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