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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 17.11.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.194 of 2024 and Suo Motu TR.(MD).Nos.19010, 19011,
19012 & 19709 of 2025

W.P.(MD)No.194 of 2024

P.Thamaraiselvi

... Petitioner

Vs.

1.The Chief Educational Officer,
District Collectorate Complex,
Virudhunagar District,
Virudhunagar.

2.The District Educational Officer (Elementary)
District Collectorate Complex,
Virudhunagar District.

3.The Block Education Officer,
The Office of Block Education Officer,
Housing Board, Sathur Town,
Virudhunagar District.

4.R.Polraj

... Respondents

**5. The Accountant General,
Chennai.**

**6. The District Treasury Officer,
Virudhunagar District.**

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**7. The Sub Treasury Officer, Sattur,
Virudhunagar District.**

... Respondents

**(the respondents 5 to 7 are Suo motu impleaded as respondents
vide order dated 17.11.2025 by KKRKJ)**

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus directing the respondents 1 to 3 herein to deduct 50% of the retirement benefits of 4th respondent herein and to pay the same to the petitioner.

For Petitioner : Mr.M.Thirunavukkarasu

For R1 to R3 & R5
to R7 : MM/s.K.Malathi
Additional General Pleader

For R4 : Mr.S.Xavier Rajini

Suo Motu TR.(MD).No.19010 of 2025

**Cr.MP.No.8423/2023 in MC.No.16/2019 on the file of the JM-II, Sattur
Taluk, Virudhunagar)**

P.Thamaraiselvi

... Petitioner

Vs.

R.Polraj

... Respondent



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Suo Motu TR.(MD).No.19011 of 2025

Cr.MP.No.751/2024 in M.C.No.16/2019 on the file of the JM No.II, Sattur Taluk, Virudhunagar)

P.Thamaraiselvi

... Petitioner

Vs.

R.Polraj

... Respondent

Suo Motu TR.(MD).No.19012 of 2025

(Cr.MP.No.808 of 2024 in M.C.No.16/2019 on the file of the JM No.II, Sattur Taluk, Virudhunagar)

R.Polraj

... Petitioner

Vs.

P.Thamaraiselvi

... Respondent

Suo Motu TR.(MD).No. 19709 of 2025

(Cr.RC.No.13 of 2023 in M.C.No.16/2019 on the file of the Additional District Court, Srivilliputhur Taluk, Virudhunagar)

R.Polraj

... Petitioner

Vs.

P.Thamaraiselvi

... Respondent

Upon perusing the documents and case records of the above
WP(MD)No.194 of 2024 and Cr.MP.No.8423 of 2023 of 2023, Cr.MP.No.



751 of 2024, Cr.MP.No.808 of 2024 on the file of the Judicial Magistrate Court No.II, Sattur Taluk, Virudhunagar, and Cr.RC.No.13 of 2023 on the file of the Additional District Court, Srivilliputhur Taluk, Virudhunagar, transmitted to this Court and hearing the arguments of **Mr.S.Ravi, learned Additional Public Prosecutor**, on behalf of the State, this Court passes the following

COMMON ORDER

Prelude:

“This dedicated bench is for implementing the pilot project to identify and dispose of criminal cases involving offences punishable with imprisonment up to 3 years pending at trial, appeal or revision stage for more than 3 years and also offences like Section 506(ii) of IPC and others , which may carry a punishment of more than 3 years in the State of Tamil Nadu with reference to the 14 Districts coming under the Madurai Bench of Madras High Court”.

2.This Dedicated Bench has taken Cr.MP.No.8423 of 2023 of 2023, Cr.MP.No.751 of 2024, Cr.MP.No.808 of 2024 on the file of the Judicial Magistrate Court No.II, Sattur Taluk, Virudhunagar, and Cr.RC.No.13 of



2023 on the file of the Additional District Court, Srivilliputhur Taluk, Virudhunagar, as *Suo motu* Special Tr.Case.(MD).Nos.19010, 19011, 19012 & 19709 of 2025 in *Suo Motu* W.P.(Crl.)(MD).No.1014 of 2025, upon proper scrutiny and considering the suitability that these are all fit cases warranting exercise of power under Article 226 of Constitution of India to quash the said Cr.MPs., which are pending without any progress.

3. This Court passed the following order on 11.11.2025:-

“This Dedicated Bench was constituted under the pilot project initiated for the purpose of identifying and expediting reports of criminal cases involving offences punishable with imprisonment up to three years, which have been pending for more than three years in the State of Tamil Nadu, as per the order of the Hon’ble Supreme Court.

2.During the course of virtual hearing in the Court of the learned Judicial Magistrate No.II, Sattur, the parties namely, Thamarai selvi and R.Polraj appeared before the learned Judicial Magistrate through the Video conference and made a joint request to record the compromise entered into between them.

3.According to their submissions, they had entered into marriage on 14.12.1997. The respondent/Polraj, is



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her maternal uncle. In their wedlock, a female child was born on 25.12.1999.

4.After the birth of the child, Polraj got appointment as a teacher in a Government school in the year 2003. Thereafter, Polraj deserted Thamarai selvi and the child and filed H.M.O.P.No.2 of 2003 before the Sub Court, Sivakasi, seeking divorce against Thamaraiselvi, which was dismissed. Aggrieved by the said dismissal, he preferred H.M.C.A.No.33 of 2005 before the Principal District Court, Srivilliputhur, which was also dismissed. Challenging the same, C.M.S.A.No. 17 of 2009 was filed before this Court and the same too was dismissed. Challenging the concurrent findings, an appeal is presently pending before the Hon'ble Supreme Court.

5.During the pendency of the aforesaid proceedings, Thamarai selvi filed M.C.No.16 of 2019 on the file of the learned Judicial Magistrate No. II, sattur, seeking maintenance of Rs.35,000/- per month for her and daughter. In the said petition, the petitioner stated that the respondent was drawing a monthly salary of Rs. 75,000/- and had not made any payment towards maintenance for the past 16 years. He also possessed several landed properties. Her father was passed away and she is unable to maintain herself. Hence, the



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petitioner filed the present maintenance petition.

6.The respondent/husband filed a counter, contending that the daughter was employed as a computer software engineer and was earning sufficiently to maintain herself. He further stated that the petitioner was also having several properties to meet her livelihood and therefore, he was not liable to pay any maintenance.

7.The learned Judicial Magistrate No.II, sattur, after considering the submissions of both parties and upon appreciation of the oral and documentary evidence on record, directed the respondent/husband to pay a sum of Rs.20,000/- per month as maintenance.

8.Aggrieved by the said order, the respondent filed a Criminal Revision Petition before the Principal District Court, Virudhunagar, in Crl.R.P.No.13 of 2023. Pending disposal of the said revision petition without any stay of the order, the petitioner filed an Execution Petition before the learned Judicial Magistrate No. II, sattur, in Crl.M.P.No.8423 of 2023, stating that the respondent had not paid any amount and that the arrears of maintenance had accumulated to more than Rs.9,66,667/-. It was also stated that the respondent had submitted an application for voluntary retirement (VRS) and was about to receive a substantial retirement



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benefit, but he is not prepared to settle the arrears due to the petitioner.

9.During the pendency of the said application, the respondent filed another petition in C.R.P.No.13 of 2023 seeking modification of the maintenance order on the ground that the daughter was employed and drawing a salary.

10.During the course of hearing, it was stated that the petitioner subsequently filed W.P.(MD) No.194 of 2024 with prayer to issue a writ of mandamus directing the respondent Nos.1 to 3 herein to deduct 50% of the retirement benefits of the 4th respondent herein and to pay the same to the petitioner and also interim direction to the Government not to disburse the retirement benefit, and the said application was allowed.

11.Pending the said proceedings, the parties arrived at a partial settlement, wherein, the respondent agreed to pay a sum of Rs.20,000/- per month towards maintenance, subject to the result of Criminal Revision Petition No.13 of 2023. It was further agreed that the respondent would pay Rs.20,000/- per month till the date of retirement and thereafter Rs.10,000/- per month after his retirement, subject to the result of the aforesaid Criminal Revision Petition.

12.At this stage, this Court made an enquiry



regarding the status of the daughter. It was submitted by the petitioner, she had fixed marriage for her daughter and required funds to meet the marriage expenses. The daughter also appeared before this Court through Video conference and confirmed the said statement.

13. In view of the special circumstances of the case, particularly considering that the petitioner, Thamarai selvi, has been living without receiving any maintenance from the respondent/husband since 2003, and that though she filed the maintenance petition in 2019, no amount has been received even after the order passed by the learned Judicial Magistrate, and also taking note of the fact that the marriage of the daughter is proposed to be held shortly, this Court is inclined to take up all the connected matters by exercising powers under Article 226 of the Constitution of India, in view of the constitution of the Dedicated Bench.

14. Accordingly, the Registry is directed to call for the entire records relating to Criminal Revision Petition No.13 of 2003, which is pending on the file of the learned I Additional District Judge, Srivilliputhur, as well as M.C.No.16 of 2019, Crl.M.P.No.8423 of 2023, Crl.M.P.No.751 of 2024, Crl.M.P.No.808 of 2024 on the file of the learned Judicial Magistrate No.II, sattur.

15. The Registry is further directed to place the



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matter before the Hon'ble Administrative Judge for necessary orders regarding clubbing of W.P.(MD) No. 194 of 2024 and all the connected matters along with the connected criminal cases arising from the same set of facts, to be heard together with Suo Motu cases, for judicial consistency.

16.List this case on 17.11.2025.”

4. In continuation of the above said order dated 11.11.2025, when the matter was taken up for hearing today, the husband, wife and their daughter namely, Krishnapriya appeared before the learned Judicial Magistrate No.II, Sattur, Virudhunagar along with their respective trial Court counsel and appeared through video conference before this Court. **Mr.M.Thirunavukkarasu**, the learned counsel for the wife, **Mr.S.Xavier Rajini**, the learned counsel for the husband and **M/s.K.Malathi**, learned Additional Government Pleader for the respondents 1 to 3 and the impleaded 5th to 7th respondents appeared before this Court.

5.This Court had a evocative and inspirational conversation with the daughter Krishnapriya and requested the said daughter to invite her father for her marriage and take care of the father's future. This Court also



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reminded the daughter about the desolate state of the father and to show all her filial commitment and love to him. The daughter krishnapriya expressed about her unfortunateness of not seeing her father today and she admitted that he was under deep depression and assured without any hesitation to accept the suggestion made by this Court during the course of the hearing.

6. The parties amicably settled the matter on the following terms:

i) The parties in WP(MD)No.194 of 2024, Cr.MP.No.8423 of 2023, Cr.MP.No.751 of 2024 and Cr.MP.No.808 of 2024 & Cr.RC.No.13 of 2023, amicably settled the matter between themselves. The wife agreed to receive an amount of Rs.17 lakhs as total permanent alimony without claiming any further maintenance in future. The husband also agreed to pay the same.

7. The learned counsel for the husband submitted that in view of the stay granted in WP(MD)No.194 of 2024, he is unable to get voluntarily retirement benefits.



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8. Therefore, in view of the above settlement arrived at between the parties, this Court is inclined to issue the following directions to the Educational Department, Virudhunagar District:-

i) In view of the healthy compromise made between the parties and the pendency of the issue for more than 22 years between the parties and considering that their daughter's marriage is proposed to be held shortly, this Court, *suo-motu* impleaded the Accountant General, Chennai, the District Treasury Officer, Virudhunagar District, and the Sub Treasury Officer, Sattur, Virudhunagar District, as respondents 5 to 7 in WP(MD)No.194 of 2024.

ii) The respondent Nos.2 and 3 are directed to submit the proposal to the Accountant General within a period of 10 days from the date of receipt of a copy of this order. Thereafter, the newly impleaded respondents 5 to 7, namely, the Accountant General, Chennai, the District Treasury Officer, Virudhunagar District, and the Sub Treasury Officer, Sattur, Virudhunagar District, are hereby directed to proceed with the pending papers of reirement and complete the entire process and transmit the retirement benefits of the husband to the Sub Treasury Officer, Sattur, Virudhunagar



District, within a period of 15 days from the date of receipt of a copy of this order.

iii) On such transmit being made, the Sub Treasury Officer, Sattur, Virudhunagar District, is directed to deposit a sum of Rs.17 lakhs in the following account of the wife namely, **P.Thamaraiselvi, Canara Bank, 171-7, Ethel Harucy Road, Sattur, A.No.0920101028938, IFSC Code.CNRB0000920**, and also credit the remaining amount in the account of the husband.

9.This Court not only appreciates the magnanimity of daughter for consenting to take care of her father eventhough father insensitively had not taken care of her for the past 20 years, and this court hopes that that the mending of love towards her father would restore peace in the matrimonial dispute of divorce pending between her mother and father. This Court also further hopes that as promised here, daughter would invite her father for her marriage and would extend filial love to her father.

10. This Court inclines to place on record its appreciation about the efforts of the learned Judicial Magistrate No. II, Sattur, Virudhunagar



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District, and also all the counsel, who had whole heartedly involved in the process of amicable settlement between the parties.

11. In view of the above no further order is necessary in **WP(MD)No.194 of 2024**, Cr.RC.No.13 of 2023 pending on the file of the First Additional District Judge, Srivilliputhur, and Cr.MP.No.8423 of 2023, Cr.MP.No.751 of 2024 & Cr.MP.No.808 of 2024 pending on the file of the learned Judicial Magistrate No.2, Sattur, Virudhunagar District.

12. Accordingly, the proceedings in **WP(MD)No.194 of 2024**, Cr.RC.No.13 of 2023 pending on the file of the First Additional District Judge, Srivilliputhur, and the proceedings in Cr.MP.No.8423 of 2023, Cr.MP.No.751 of 2024 & Cr.MP.No.808 of 2024 pending on the file of the learned Judicial Magistrate No.2, Sattur, Virudhunagar District, are hereby closed.

List this case for reporting compliance on 14.12.2025.

17.11.2025

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Note to the Trial Court: This order is digitally signed and communicated electronically alone. The Trial Court shall take note of the order and accordingly classify the case pending before them as allowed / dismissed / disposed of, etc, and while doing so, consider any applications such as disposal of properties, etc., and pass appropriate orders, as may be necessary. Further, the Court below is directed to dispatch the copy of this order to all concerned.

Copy to :

- 1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.
- 2.The First Additional District Judge,
Srivilliputhur.
- 3.The Judicial Magistrate No.2, Sattur,
Virudhunagar District.
- 4.The Chief Educational Officer,
District Collectorate Complex,
Virudhunagar District,
Virudhunagar.
- 5.The District Elementary Educational Officer,
District Collectorate Complex,
Virudhunagar District.
- 6.The Block Education Officer,
The Office of Block Education Officer,
Housing Board, Sathur Town,
Virudhunagar District.
7. The Accountant General,
Chennai.



8. The District Treasury Officer,
Virudhunagar District.

9. The Sub Treasury Officer, Sattur,
Virudhunagar District.



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K.K.RAMAKRISHNAN,J.

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Order made in
**W.P.(MD)No.194 of 2024 and Suo Motu TR.(MD).Nos.19010, 19011,
19012 & 19709 of 2025**

17.11.2025