



W.P(MD).No.7408 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 27.01.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

W.P(MD).No.7408 of 2021

and

W.M.P(MD).No.1013 of 2025

AL.Vishalatchi

.. Petitioner

Vs.

- 1.The Director General,
(Director General Ordnance Factories &
Chairman, OFB),
Ordnance Factory Board (OFB) HQ,
10A, Shahid Khudiram Bose Road,
B.B.D.Bach, Kolkatta,
West Bengal – 700 001.
- 2.The Chairman
Ordnance Factory Board (OFB) HQ,
10A, Shahid Khudiram Bose Road,
B.B.D.Bagh,
Kolkatta,
West Bengal – 700 001.
- 3.The General Manager,
Ordnance Factory Trichirapalli (OFT),
Tiruchirapalli – 620 016.



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4.The Additional General Manager,
Ordnance Factory Trichirapalli (OFT),
Tiruchirapalli – 620 016,
Tiruchirapalli District.

5.The Director,
National Institute of Technology (NIT)
Tiruchirapalli – 620 015,
Tiruchirapalli District.

6.The Dean,
National Institute of Technology (NIT)
Tiruchirapalli – 620 015
Tiruchirapalli District.

7.The District Collector,
Sivagangai,
Sivagangai District.

8.The Revenue Divisional Officer,
Revenue Divisional Office,
Ramnagar, Devakottai,
Sivagangai District.

9.The Tahsildar
Taluk Office,
Karaikudi,
Sivagangai District.

10.Periyakaruppan

.. Respondents



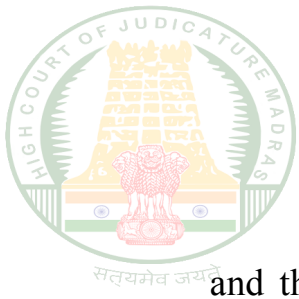
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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent Nos. 1 to 6 herein to consider and to take appropriate action on the representation of the petitioner dated 28.02.2021 sent by the petitioner for taking into consideration of the pendency of the criminal case registered against the 10th respondent herein pending in Cr.M.P.No.936 of 2021 on the file of the Judicial Magistrate, Devakottai as well as another criminal case registered in D.V.O.P.No.3 of 2021 on the file of Judicial Magistrate, Devakottai to exercise the discretionary power to initiate appropriate Disciplinary/Departmental Proceedings as contemplated under the Central Civil Service Classification Control and Appeal Rules (CCS (CCA) Rules) and as well as Central Civil Services Conduct Rules.

For Petitioner	:	Mr.D.Srinivasaragavan
For RR1 to 4	:	Mr.K.Asok Kumar Ram Central Government Sr. Counsel
For RR7 to 10	:	Mr.Ram Sundarvijaya Raj
For RR5 & 6	:	-No Appearance-

ORDER

The petitioner is the wife of the 10th respondent. Their marriage was solemnised on 09.06.2016 and out of the wedlock, they are having two girl children. The relationship between the parties came under strain



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and the petitioner has filed Cr.M.P.No.936 of 2021 before the Judicial Magistrate Court, Devakottai, seeking to register an FIR for the alleged offence u/s.448, 294(b), 323, 498A, 406, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002. She has also filed another case in D.V.C.No.3 of 2021 before the Judicial Magistrate Court, Devakottai, for the offence u/s.12, 19, 20, 21 of the Domestic Violence Act. Citing the pendency of these petitions, the petitioner has made a representation dated 28.02.2021 to the official respondents to initiate disciplinary proceedings as against her husband / 10th respondent. Alleging that no action has been taken on her representation, the petitioner has filed the instant writ petition.

2. Learned Counsel for the 10th respondent submitted that they are having two girl children and for the welfare of the children, the 10th respondent is ready to live with his wife / the petitioner.

3. Considering the submissions made by the respective parties and also considering the issue at hand, this Court, in order to give a quietus,



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referred the matter to the Mediation Centre attached to this Bench and also appointed a Counsel, who is having a bar standing of more than 25 years, as a Mediator.

4. The Mediator has filed a report that despite the best efforts taken by him, the petitioner has not appeared and co-operated for the mediation and that the mediation failed.

5. Learned Counsel for the petitioner has expressed his difficulty in bringing the petitioner for mediation. He further submitted that considering the conduct of the petitioner, he is not inclined to proceed further with the petition and has filed a memo that he is withdrawing the vakalath.

6. From the records available, it appears that Cr.M.P.No.936 of 2021 and D.V.C.No.3 of 2021 were filed before the Judicial Magistrate Court, Devakottai, by the petitioner. The petitioner has not enclosed any orders passed in the above petitions and it is not known as to what happened to those petitions. However, by citing the mere filing of these



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petitions, the petitioner wants to initiate disciplinary proceedings as against her husband and in this process, it appears, she has attempted to use this Court as a tool to intimidate her husband. Neither she appeared before the Mediator nor she complied with the directions of this Court.

7. Therefore, this Court is inclined to dismiss this writ petition with costs. However, since the petitioner is not before this Court, this Court refrains from imposing any costs.

8. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.01.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
nst



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B.PUGALENDHI, J.

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