

W.A.(MD)No.579 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.A.(MD)No.579 of 2025

M.Umanachiyar

...Appellant

-Vs-

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George, Chennai.

2.The Director of Municipal Administration,
3, MRC Nagar, Raja Annamalai Puram,
Chennai.

3.The District Collector,
Sivagangai District.

4.The Commissioner,
Devakottai Municipality,
Devakottai Municipal Office,
371/156, Thirupathur Road,
Devakottai-630 302.

5.Muthulakshmi

...Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent Act, to set aside the order of this Court made in W.P.(MD)No.17136 of 2022 dated 02.08.2022.



WEB COPY



W.A.(MD)No.579 of 2025

For Appellant : Mr.R.Balakrishnan
For R1 to R3 : Mrs.D.Farjana Ghoushia,
Special Government Pleader

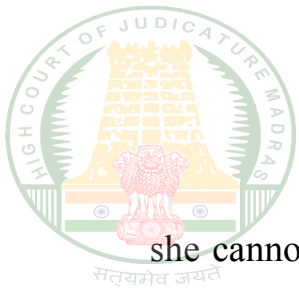
JUDGMENT

(Judgment of the Court was made by **J.NISHA BANU, J.**)

This Writ Appeal is filed against the order of this Court, dated 02.08.2022 in W.P.(MD)No.17136 of 2022.

2.The appellant's husband is working as a Local Fund Auditor at Pattukottai. The appellant earlier had given a complaint against her husband making the allegation of adultery. The department also initiated departmental proceedings against the husband of the writ petitioner. Thereafter, the writ petition was filed to initiate action as against the fifth respondent, with whom according to the writ petitioner, her husband is living an adulterous life. This Court by an order dated 02.08.2022 had dismissed the writ petition. The said order is put under challenge in this writ appeal.

3.The allegation of the appellant is that her husband is living an adulterous life with the fifth respondent. The appellant being a wife, has every right to sue against her husband. But as far as the fifth respondent is concerned,



W.A.(MD)No.579 of 2025

she cannot maintain any prayer as against her. Whether the appellant's husband is living an adulterous life with the fifth respondent is the matter for investigation. The Writ Court has rightly dismissed the writ petition. Therefore, we find no reason to interfere with the said findings.

4. Accordingly, this writ appeal is dismissed. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
17.03.2025

Index : Yes/No

Internet : Yes/No

ta

To

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George, Chennai.
2. The Director of Municipal Administration,
3, MRC Nagar, Raja Annamalai Puram,
Chennai.
3. The District Collector,
Sivagangai District.
4. The Commissioner,
Devakottai Municipality,
Devakottai Municipal Office,
371/156, Thirupathur Road,
Devakottai-630 302.



WEB COPY



W.A.(MD)No.579 of 2025

J. NISHA BANU,J.
and
S.SRIMATHY.J

ta

W.A.(MD)No.579 of 2025

17.03.2025