



W.P.(MD) No.24900 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2025

CORAM:

THE HONOURABLE Mr.JUSTICE K.KUMARESH BABU

W.P.(MD)No.24900 of 2025

V.A.Senthilkumar

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Kumbakonam,
Thanjavur District.

2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli – 620001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to include the name of petitioners second wife Mrs.Saratha as Nominee in petitioners service records based on petitioner representation dated 31.07.2025.



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For Petitioner : Mr.N.Sudhagar Nagaraj,
For Respondent : Mr.S.C.Herold Singh
Standing Counsel

ORDER

This writ petition has been filed for a writ of Mandamus to direct the respondents to include the name of petitioner's second wife Mrs.Saratha as nominee in petitioner's service records based on the petitioner's representation, dated 31.07.2025.

2.The learned Counsel for the petitioner would submit that the petitioner being an employee of the respondent Corporation had initially nominated his wife/D.Akila as his legal heir to receive terminal benefits. During the life time of his first wife/D.Akila, the petitioner had also married one Saratha and she had been living along with the petitioner from the year 2013. He would submit that the first wife had died on 10.12.2024 and thereafter, the petitioner had made a representation to the respondents to include the name of his second wife as his legal heir and nominee and the same is pending for consideration with the respondent.



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3.Mr.S.C.Herold Singh, learned Standing Counsel takes notice for the respondents and would submit that the marriage with Saratha is a void marriage as the same had taken place during the lifetime of the first wife and therefore, the name of the second wife cannot be recorded as a nominee or legal heir of the petitioner. Therefore, he would submit that the prayer sought for in the petition is not maintainable.

4.Considered the submissions made on either side. It is to be seen that the petitioner was married to one Akila in the year 2002 and during the subsistence of the said marriage, he also married one Saratha. Admittedly, Akila is the first wife of the petitioner and she died on 10.12.2024, which is evidenced by the death certificate issued by the appropriate authority in that regard. It is not the case that the said Saratha had not been living with the petitioner. It is the claim of the petitioner that even today, Saratha is the one who takes care of him. In such view of the matter, even though the alleged marriage with Saratha was solemnized during the lifetime of the first wife, is a void marriage, after the death of the first wife, the marriage of the petitioner with Saratha gets it is valid.



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5.In such view of the matter, there shall be a direction to the respondents to record the name of Saratha/second wife of the petitioner as his legal heir and nominee to receive the terminal benefits of the petitioner.

6.With the above direction, the writ petition stands disposed of.

No costs.

22.09.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

LR

To

1. The Managing Director,
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K.KUMARESH BABU, J.

LR

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