



Cont.P.(MD)No.3576 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Cont.P.(MD)No.3576 of 2025

R.Malarvizhi @ Malar

... Petitioner

Vs.

1.Mr.V.Saravanan,
The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Head Office,
Bye Pass Road, Madurai.

2.Mr.P.Mani,
The Public Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd., Head Office,
Bye Pass Road,
Madurai.

... Respondents

Prayer : Contempt Petition filed under Section 11 of the Contempt of Court Act, to punish the Contemnors/Respondents herein for committing grave contempt and wilful disobedience of the order passed by this court in WP.(MD)No.17333 of 2019 dated 18.12.2024.



Cont.P.(MD)No.3576 of 2025

For Petitioner : Mr.A.Mu.Sharavanan
For Respondents : Mr.S.C.Herold Singh

WEB COPY

ORDER

The petitioner, who is the third respondent in WP.(MD)No.17333 of 2019, has filed this contempt petition that the order passed by this Court in the said writ petition dated 18.12.2024 has been violated.

2.One Uma, wife of the Raman, employee of the respondents/Transport Corporation has filed the above writ petition seeking a writ of mandamus directing the respondents/Transport Corporation to sanction and pay the terminal benefits of the petitioner's husband. In the said writ petition the respondents/Transport Corporation has taken a stand that there is a counter claim from the petitioner herein, who was claiming to be a wife of the deceased employee Raman and therefore, this Court, considering the rival submission, passed the following order:-



WEB COPY

The petitioner claiming to be the wife of one Raman/ an employee of the Tamil Nadu State Transport Corporation has filed this writ petition seeking retirement benefits of her husband.

2.The learned counsel appearing for the petitioner submits that the said Raman died on 18.10.2018. Therefore, this petitioner has made a request for the retirement benefits due to Raman and the same was not considered by the respondents, on the objections of the third respondent herein that she is the legally wedded wife of the deceased Raman. Therefore, this petitioner has filed this writ petition in the year 2019.

3.Today (18.12.2024), when this writ petition is taken up for hearing, the learned Standing Counsel appearing for the respondent Corporation submits that though the petitioner is the first wife of the employee Raman, the marriage between this petitioner and Raman was dissolved by a decree granted by the Sub Court, Periyakulam in HMOP No.91 of 2001. According to the learned Standing Counsel after the decree granted by the competent Court, the employee Raman has married another woman/the third respondent herein in the year 2005. He died only in the year 2018. As per the service records, the third respondent is shown as the legally wedded wife of the deceased employee and therefore the third



respondent alone is entitled for the retirement benefits. It is reported by the learned Standing Counsel that the benefits have not been disbursed to the third respondent, in view of the interim order granted by this Court.

4.In reply, the learned Counsel for the petitioner submits that the Decree of divorce mentioned by the respondent Corporation is an exparte decree and the same was decreed, without issuing any notice to the petitioner and without her knowledge. That apart, the petitioner is having a child and that child is entitled for the retirement benefits. Therefore, according to the learned Counsel for the petitioner, she is also having a right in the retirement benefits of the deceased Raman. He further submits that the third respondent was now married to another person and therefore, she cannot be a legally wedded wife of the deceased Raman.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner claims that she is the first wife of the deceased employee Raman and therefore, she is entitled for the retirement benefits due to him. On the side of the respondent Corporation, a stand has been taken that the marriage between the



WEB COPY

petitioner and the deceased Raman was dissolved by a Court of law and thereafter the deceased has married the third respondent herein and in service records, the third respondent name is shown as the legally wedded wife of the deceased. Therefore, they are about to settle the retirement benefits of the deceased Raman to the third respondent, however, it is withheld due to interim order granted by this Court. This Court, by invoking writ jurisdiction, cannot decide the right of the parties towards entitlement of the retirement benefits of the deceased employee. The petitioner has to work out her remedy only by filing a necessary suit for succession. The petitioner is at liberty to file a suit for succession within a period of eight weeks from the date of receipt of a copy of this order and she has to work out her remedy in the succession OP to be filed by her. The respondent Corporation shall not disburse the amount for a period of three months.

7. With the above directions, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

3. This contempt petition has been filed that this Court restricted the disbursement of retirement benefits only for a period of three months and thereafter, it needs to be disbursed to the petitioner herein.



WEB COPY

4. Admittedly, the petitioner herein is the second wife of the deceased employee. However, her name has been entered in the service register of the deceased employee. In that strength, the petitioner claims the retirement benefits. There is a counter claim from one Uma, who is claiming to be the first wife of the deceased employee.

5. When the writ petitioner has approached this Court, this Court has directed her to establish her right by filing necessary succession OP before the competent civil Court. It would also be applicable to the petitioner herein. Once there is a rival claimant, the amount shall be disbursed only after obtaining necessary decree from the competent civil Court. The petitioner is at liberty to workout her remedy by filing a succession OP and establish her right. Accordingly, this contempt petition is closed.

11.12.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

gns



WEB COPY



Cont.P.(MD)No.3576 of 2025

To

1.Mr.V.Saravanan,
The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Head Office,
Bye Pass Road, Madurai.

2.Mr.P.Mani,
The Public Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd., Head Office,
Bye Pass Road,
Madurai.



WEB COPY



Cont.P.(MD)No.3576 of 2025

B.PUGALENDHIJ

gns

Cont.P.(MD)No.3576 of 2025

11.12.2025