

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33042/2015

D.Sadagopan

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Petitioner

Versus

1.The District Adi Dravida & Tribal
Welfare Officer, Cuddalore.

2.The Special Tahsildar
Adi Dravidar Welfare,
Chidambaram, Cuddalore District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Mandamus directing the 2nd respondent herein to consider the representation of the petitioner dated 06.11.2014 and pass orders within stipulated time.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.V.Subbiah, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would claim that after putting in 30 years of service, retired from service as Headmaster on 31.01.2008 from Mudikandanallur School. Attempts were also made by the 2nd respondent, vide proceedings dated Nil.April 2007 to recover the alleged excess payment on account of wrong fixation of scale of pay and it was reissued from 01.06.1988 to 28.02.2007 and the said amount works out to Rs.2,41,444/- and it was also recovered at the rate of Rs.2000/- per month from the salary of the petitioner between April 2006 and November 2006. According to the petitioner, the same amount is deducted from the original amount of Rs.2,41,444/- and the balance amount will be Rs.2,25,444/- and he has retired from service on 31.01.2008 and though he was eligible to get a sum of Rs.2,84,776/- being gratuity amount, the alleged excess amount of Rs.2,25,444/- has been deducted and recovered and the balance sum alone has been paid. It is the claim of the petitioner that the said deduction per se illegal and in this

regard, he has submitted a representation dated 06.11.2014 to the 2nd respondent and since no orders have been passed, he came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 06.11.2014 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of accordingly.
No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

AP

To

1.The District Adi Dravida & Tribal
Welfare Officer, Cuddalore.

2.The Special Tahsildar
Adi Dravidar Welfare,
Chidambaram, Cuddalore District.

+1 cc to Mr.S.Senthilnathan, Advocate, sr.56720

+1 cc to Government Pleader, sr.57536

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