

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.4744 of 2015

The Coimbatore Diocese Society
Rep. by its Procurator,
Fr. M.A.Lawrence, S/o.M.Arockiasamy,
Bishop House, Big Bazaar Street
Coimbatore-641001.

... Petitioner

vs.

1 The District Collector,
Coimbatore District,
Coimbatore.

2 The Revenue Divisional Officer,
Coimbatore Division,
Coimbatore District.

3 The Senior Superintendent of Post Office,
Coimbatore,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st Respondent to direct the 2nd Respondent to refund a sum of Rs.7,94,246.60 deposited with him in view of the final settlement complied by the 3rd Respondent with accrued interest based upon the Petitioner's representations dated 29.06.2013 and 16.12.2014 and the 3rd Respondent letters dated 03.07.2013, 04.03.2014 11.04.2014, 11.11.2014 and 12.12.2014.

For Petitioner : Mr.S.Kumara Devan
For Respondent : Mr.V.Subbiah,
Special Govt. Pleader

ORDER

The petitioner-society has filed the above writ
petition to issue a writ of mandamus, directing the respondents
1 and 2 to refund a sum of Rs.7,94,246.60 deposited with the

second respondent in view of the final settlement complied by the third respondent with accrued interest based upon their representations dated 29.06.2013 and 16.12.2014.

2. Learned counsel appearing for the petitioner-society submitted that in spite of the repeated representations given by the petitioner-society, the respondents have not considered the same till this date.

3. Mr.V.Subbiah, learned Special Government Pleader takes notice for the respondents and submitted that the respondents may be directed to dispose of the representations given by the petitioner within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the respondents to dispose of the representations dated 29.06.2013 and 16.12.2014 given by the petitioner-society, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Rj

-s/d-
Assistant Registrar(CS-III)
Dt:27/2/2015

True Copy

Sub-Assistant Registrar

To

- 1 The District Collector,
Coimbatore District,
Coimbatore.
- 2 The Revenue Divisional Officer,
Coimbatore Division,
Coimbatore District.
- 3 The Senior Superintendent of Post Office,
Coimbatore,
Coimbatore District.

+ 1 cc to Mr.S.Kumaradevan, Advocate SR 10009

+ 1 cc to the Government Pleader SR 10242

ad(co)
prk27/2

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