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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD)No.16136 of 2014

Pala Ramasamy

... Petitioner

Vs.

- 1.The Chief Secretary to the  
Government of Tamil Nadu,  
Fort St. George,  
Chennai 600 009.
- 2.The Additional Secretary to Government,  
Public (L.O) Department,  
Secretariat,  
Chennai 600 009.
- 3.The Special Commissioner & Commissioner,  
Revenue Administration,  
Ezhilagam,  
Chepauk, Chennai.
- 4.The Secretary to Government,  
Adi Dravida Tribal Welfare Department,  
Fort St. George,  
Chennai -09.
- 5.The Agricultural Production Commissioner  
and Principal Secretary to Government,  
Agricultural Department,  
Fort St. George, Chennai -09.
- 6.The Principal Secretary to Government,  
Commercial Taxes and Registration Department,  
Fort St. George,  
Chennai - 09.
- 7.The Principal Secretary to Government,  
Cooperation Food and Consumer Protection  
Department, Fort St. George,  
Chennai - 09.
- 8.The Secretary to the Government of Tamilnadu,  
H.G & U D Department,  
Chennai.
- 9.The Principal Secretary to Government,  
Public (L.O) Department, Fort St. George,  
Chennai -09.



10. The Secretary to Government,  
Home Department,  
Fort St. George,  
Chennai -09.

11. The Principal Secretary to Government,  
Industries Department,  
Fort St. George,  
Chennai -09.

12. The Principal Secretary to Government,  
Rural Development and Panchayat Raj Department,  
Fort St. George,  
Chennai -09.

13. The Principal Secretary to Government,  
Higher Education Department,  
Fort St. George,  
Chennai -09.

14. The Secretary to Government,  
Labour and Employment Department,  
Fort St. George,  
Chennai-09.

15. The Pincipal Secretary to Government,  
Municipal Administration and Water Supply  
Department, Fort St. George,  
Chennai-09.

16. The Principal Secretary to Government,  
Public Works Department,  
Fort St. George,  
Chennai -09.

17. The Special Commissioner,  
Commissioner for Revenue Administration,  
Revenue Department,  
Fort St. George,  
Chennai -09.

18. The Principal Secretary to Government,  
Social Welfare and Noon Meal Program Department,  
Fort St. George,  
Chennai -09.

19. The Additional Chief Secretary to Government,  
Tourism, Culture and Religious Endowments  
Department, Fort St. George,  
Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>

20. The Managing Director,  
Tamilnadu State Transport Corporation,  
(Kumbakonam Ltd),  
Thanjavur District.



21.The Joint Commissioner,  
Hindu Religious and Charitable Endowments  
Department,  
Thiruchendur,  
Thoothukudi District.

22.The Divisional Engineer Highways,  
Project Division,  
Thanjavur District.

23.The District Collector,  
Chennai.

24.The District Collector,  
Dindigul, Dindigul District.

25.The District Collector,  
Erode.

26.The District Collector,  
Kanyakumari at Nagercoil.

27.The District Collector,  
Madurai.

28.The District Collector,  
Ramanathapuram.

29.The District Collector,  
Sivagangai.

30.The District Collector,  
Thanjavur.

31.The District Collector,  
Theni.

32.The District Collector,  
Thiruvarur.

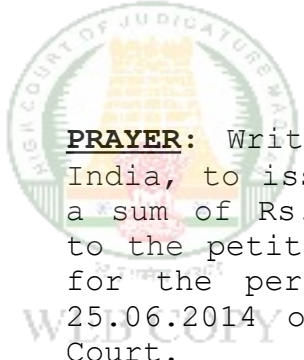
33.The District Collector,  
Trichy.

34.The District Collector,  
Tirunelveli.

35.The District Collector,  
Thoothukudi.

36.The District Collector,  
Virudhunagar.

... Respondents



**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to pay a sum of Rs.1,90,250/- i.e., (Rs.1,97,400/ (-) Rs.7,150/-) with interest to the petitioner being the amount to be payable towards the Advocate fee for the period 2006-2010 as per the Letter No.13766/L.O/2014-1, dated 25.06.2014 of the second respondent within the time stipulated by this Court.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.K.Chellapandian  
Additional Advocate General, Assisted by

Mr.M.Alagadevan  
Special Government Pleader

#### O R D E R

The Writ Petitioner was serving as Special Government Pleader before the Madurai Bench of Madras High Court from the year 2006 to 2010 and conducted several cases on behalf of the respondents. He has raised 421 bills pertaining to the period 2006 to 2010, towards his professional charges. However, those bills have not been settled so far. The petitioner made a request on 26.04.2014 for settling the said bills. Thus, the present Writ Petition is filed seeking for a direction to the respondents to pay a sum of Rs.1,90,250/- with interest being the amount payable towards his fee for the period 2006 to 2010 as per letter, dated 25.06.2014, issued by the second respondent.

2. It is seen that through the said letter, the second respondent has communicated to all the respondents and other departments to settle the bills pending with the respective departments in consultation with the petitioner.

3. The learned Additional Advocate General appearing for the respondents fairly submitted that the fee bill raised by the petitioner will be settled by the respondents 3 to 36 and however, the respondents 1 and 2 are not necessary parties in this Writ Petition. He sought sufficient time for settling the said amount. He has also submitted that this Court need not impose a condition to pay interest to the petitioner.

4. The learned counsel appearing for the petitioner on the other hand submitted that the payment is delayed not due to the fault of the petitioner and on the other hand it is due to the unreasonable delay on the part of the respondents in settling the fee bills and consequently, the petitioner is entitled to the interest. He also relied on a decision of this Court rendered in W.P.No.24592 of 2011, dated 22.12.2011 to contend that the petitioner is entitled to 9% interest.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents and perused the materials placed before this Court.

6. It is not in dispute that the petitioner was working as Special Government Pleader for the relevant period viz., 2006 to 2010 at Madurai Bench of Madras High Court. It is also not in dispute that he has raised



the bills pertaining to the said period towards his professional charges for various cases handled by him. Therefore, the respondents more particularly the respondents 3 to 36 are duty bound to settle the dues without any further delay.

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7. As the learned Additional Advocate General has fairly submitted that fee bills will be settled after considering the claim made by the petitioner, the Writ Petition is disposed of with a direction to the respondents 3 to 36 to settle the fee bills after considering the claim made by the petitioner and pay the amount payable to the petitioner with interest at the rate of 9% per annum, within a period of three months from the date of receipt of a copy of this order. No Costs.

Sd/  
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

- 1.The Chief Secretary to the  
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- 3.The Special Commissioner & Commissioner,  
Revenue Administration,  
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- 4.The Secretary to Government,  
Adi Dravida Tribal Welfare Department,  
Fort St. George,  
Chennai -09.
- 5.The Agricultural Production Commissioner  
and Principal Secretary to Government,  
Agricultural Department,  
Fort St. George, Chennai -09.
- 6.The Principal Secretary to Government,  
Commercial Taxes and Registration Department,  
Fort St. George,  
Chennai - 09.
- 7.The Principal Secretary to Government,  
Department, Fort St. George,  
Chennai - 09.



8. The Secretary to the Government of Tamilnadu,  
H.G & U D Department,  
Chennai.

9. The Principal Secretary to Government,  
School Education Department, Fort St. George,  
Chennai -09.

10. The Secretary to Government,  
Home Department,  
Fort St. George,  
Chennai -09.

11. The Principal Secretary to Government,  
Industries Department,  
Fort St. George,  
Chennai -09.

12. The Principal Secretary to Government,  
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Fort St. George,  
Chennai -09.

13. The Principal Secretary to Government,  
Higher Education Department,  
Fort St. George,  
Chennai -09.

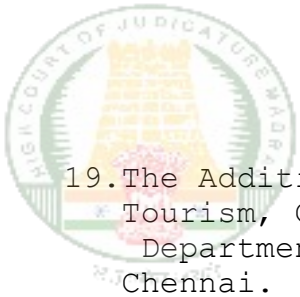
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15. The Pincipal Secretary to Government,  
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Chennai-09.

16. The Principal Secretary to Government,  
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Chennai -09.

17. The Special Commissioner,  
Commissioner for Revenue Administration,  
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35.The District Collector, Thoothukudi.

36.The District Collector, Virudhunagar.

+1cc to Mr.D.Sadiq Raja Advocate in SR.No. 604

+1cc to Special Government Pleader in SR.No. 747.

TS/14.02.2015/7P-39C