



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.14772 of 2016

K.Paramasivam

... Petitioner

vs.

1)The Madurai Corporation,
through its Commissioner,
Arignar Anna Maligai,
Madurai.

2)The Assistant Commissioner (Accounts),
Madurai Corporation,
Arignar Anna Maligai,
Madurai.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the petitioner, a sum of Rs.1,04,040/- which is wrongly deducted by them towards the recovery of commutation in the petitioner's monthly pension, with interest within a time to be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Suriya Narayanan

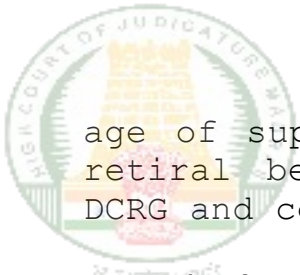
For Respondents : Mr.R.Murali

ORDER

K.Paramasivam has come to this Court, seeking issuance of a Writ of Mandamus, directing the respondents to disburse him, a sum of Rs.1,04,040/- which is said to have been deducted wrongly by the respondents towards recovery of commutation in the petitioner's monthly pension, with interest within a time frame.

2.Mr.R.Murali, learned standing counsel takes notice for the respondents.

3.The petitioner is a retired employee of the Madurai Corporation. After serving as a Bill Collector and also as a Special Bill Collector, he retired from service, on reaching the



age of superannuation on 30.09.1997, thereafter, he received the retiral benefits namely, Rs.1,01,494/- towards pension arrears, DCRG and commutation etc.

4.The grievance of the petitioner is that from the communication of the 2nd respondent dated 08.01.2016, he came to know that instead of deducting a sum of Rs.338/- towards commutation recovery from his pension, a sum of Rs.916/- was wrongly deducted and the said wrong deduction continued even after 15 years, therefore the petitioner has sought information under the Right to Information Act on 04.03.2016. After realising the fault, rectifying the same, the 2nd respondent agreed to return the sum of Rs.1,04,040/- alleged to have been wrongly deducted.

5.Mr.R.Murali, learned standing counsel appearing for the Madurai Corporation submitted that if the petitioner makes a representation to the respondents seeking disbursement of Rs.1,04,040/-, the respondents by considering the said representation, would pass orders by making payment of Rs.1,04,040/-.

6.In view of the submission made by the learned standing counsel for the respondents, the petitioner is directed to make a representation to the respondents, seeking disbursement of the abovesaid sum, within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall dispose of the representation expeditiously, in line with the submission made by the counsel for the corporation.

The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1)The Commissioner,

Madurai Corporation, Arignar Anna Maligai, Madurai.

2)The Assistant Commissioner (Accounts),

Madurai Corporation, Arignar Anna Maligai, Madurai.

+1 cc to M/s.R.Suriyanarayanan, Advocate in SR.No.44214

+1 cc to M/s.R.Murali, Advocate in SR.No.44013

nbi

CSL/SK-SKN/23.08.2016: 2p/5c

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

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