



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR**

W.A. (MD) No.759 of 2014

V.R.Subramanian

... Appellant

Vs.

1. The Commissioner,
Kovilpatti Municipality,
Kovilpatti.

2. The Director of Municipal Administration,
Government of Tamil Nadu, Chepauk,
Chennai.

3. The Secretary,
Local Administration Department,
Government of Tamil Nadu,
Chennai.

... Respondents

Writ Appeal filed under Clause 15 of Letter Patent against the order passed by this Court in W.P.(MD) No.4614 of 2011 dated 19.04.2013 in so far as the non-granting of interest alone.

Prayer in WP(MD). 4614/ 2011 :

This Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of a writ of mandamus to direct the 1st respondent to pay the arrears of legal fees of the petitioner with interest for delayed payment by considering the petitioners representations dated 05.03.2008 and 01.12.2008.

For Appellant

: Mr.M.P.Senthil

For 1st Respondent

: Mr.K.P.Krishnadass

For Respondents 2 and 3

: Mr.M.Murugan
Government Advocate

**JUDGMENT**

(Judgment of the Court was delivered by **M.M.SUNDRESH, J**)

The appellant was a counsel appearing for the respondent No.1. According to the appellant, the remunerations by way of legal charges, including fees have not been paid. Therefore, the writ petition was filed seeking a direction to the first respondent to pay arrears of legal fees with interest. The learned Single Judge was pleased to pass an order directing payment as resolved by the first respondent. Not satisfied with the above said order, the present appeal has been filed with respect to the interest component.

2.We do not find any merit in this appeal. There is no time, that is fixed for paying the fees. The fees payable is not restricted to a particular case alone but for standing over several of them. In such view of the matter, we are not inclined to accept the contention of the learned counsel appearing for the appellant with respect to the payment of interest is concerned as admittedly, in pursuance of the order of the learned Single Judge, the amount due has been paid.

3.In view of the above, this Writ Appeal is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To:

1. The Director of Municipal Administration,
Government of Tamil Nadu, Chepauk,
Chennai.
2. The Secretary,
Local Administration Department,
Government of Tamil Nadu,
Chennai.

+1 cc to Mr.M.P.Senthil , Advocate in SR.No. 65391

+1 cc to Special Government Pleader in SR.No.65317

sj

AE/KP/SAR1/26.07.2017/2P/5C

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