



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2017

CORAM

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD) No.17368 of 2014

P.Bose

... Petitioner

Vs.

1. The Joint Director,
Kallar Reclamation,
Madurai 625 020.

2. The Accountant General(A&E),
361, Anna Salai,
Chennai 600 018.

... Respondents

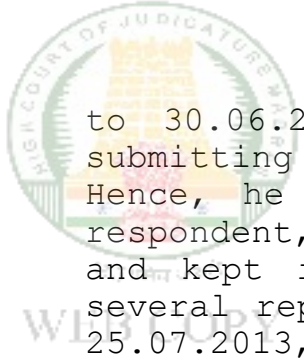
PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to release the withheld amount of overdrawn pay and allowances of Rs.1,01,576/- for the period from 24.11.1990 to 30.06.2001 to the petitioner as directed by the second respondent in his pen.17/1/4654 dated 11.09.2012 within a stipulated period.

For Petitioner	: Mr.B.Alagarsamy
For R1	: Mr.S.Kumar
	Additional Government Pleader
For R2	: Mr.P.Gunasekaran

O R D E R

The writ petition has been filed by the petitioner to release the withheld amount of overdrawn pay and allowances of Rs.1,01,576/- for the period from 24.11.1990 to 30.06.2001 to the petitioner as directed by the second respondent in his pen.17/1/4654 dated 11.09.2012.

2.The case of the petitioner is that he was working as a Warden at Government Kallar Boys Hostel, Gnanaolivupuram, Madurai and he retired on 30.06.2001. According to second respondent, the petitioner's pension was revised as per G.O.60 and pensionary benefits authorised and the arrears of pay and allowances may be paid. The second respondent in his proceedings pen.17/1/4654 dated 11.09.2012 had directed the first respondent to release the withheld amount of overdrawn pay and allowances of Rs.1,01,576/- without any further delay. The first respondent in the letter Roc.No.H10/86828/2009 dated 23.11.2012 had stated that the petitioner has to submit the pay drawn particulars from 24.01.1990



to 30.06.2001 to the office of the first respondent and after submitting the particulars his withheld amount could be released. Hence, he submitted a representation on 25.07.2013 to the first respondent, stating that the pay drawn particulars was maintained and kept in the office of the first respondent. After sending several representations dated 18.10.2012, 24.11.2012 and finally on 25.07.2013, requesting to release the withheld amount of overdrawn pay and allowances of Rs.1,01,576/- for the period of 24.11.1990 to 30.06.2001, the petitioner filed a writ petition.

3.The learned Additional Government Pleader by producing the proceedings of the first respondent dated 24.12.2014 submitted that after filing of the writ petition on 27.10.2014, the first respondent, vide his proceedings dated 24.12.2014 had revised / refixed the pay and allowances of the petitioner and also ordered to release the amount to the petitioner, and accordingly, the amount was subsequently released to the petitioner. The said submission of learned Additional Government Pleader is recorded.

4.In view of the above, this writ petition is disposed of. Since, the prayer of the writ petitioner has been fulfilled as early as in the year 2015, the request for payment of interest does not arise. However, liberty is given to the petitioner, to challenge the said proceedings, or the amount released, if he is aggrieved. No costs.

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

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Director,
Kallar Reclamation,
Madurai 625 020.
2. The Account General (A&E),
361, Anna Salai,
Chennai 600 018.

- + 1 CC TO Mr.B.ALAGARSAMY, ADVOCATE IN SR No. 94428
- + 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 94541
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 94745

MM

TE/KK/SAR-2 : 28/03/2018 : 2P/6C

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