

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.32639 of 2017 and
WMP.Nos.37795 and 37796 of 2017

K.Barathy

.. Petitioner

-vs-

1. The Principal,
Government College of Architecture and Sculpture,
Mamallapuram-603 104,
Kancheepuram District.
2. The Commissioner,
Directorate of Art and Culture Department,
Tamil Development Department Building 2nd Floor,"
Tamil Salai, Egmore, Chennai-8.
3. The Secretary to Government,
Tourism, Culture and Religious Endowments
Department, Fort St. George, Chennai-9 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent to disburse the salary of the petitioner for the months of October and November, 2017 forthwith along with interest for the belated payment which shall be recovered from the 1st respondent, within the time limit fixed by this Court.

For Petitioner :: Mr.R.Baskaradoss

For Respondents :: Mr.T.M.Pappiah,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to disburse the salary of the petitioner for the months of October and November, 2017 forthwith along with interest for the belated payment which shall be recovered from the salary of the 1st respondent, within the time limit fixed by this Court.

2. When the matter is called today, the learned Special Government Pleader appearing for the respondents submitted that already the salary of the petitioner for the months of October and November, 2017 has been disbursed to him.

3. In reply to the same, the learned Counsel for the petitioner submitted that in the month of September, 2017, professional tax has been paid for the preceding 6 months and the next payment falls only during February, 2018. However, the 1st respondent has deducted Rs.1,290/- towards Profession Tax.

4. In view of the submissions made on either side, if the petitioner has already paid the professional tax as contended by the learned Counsel for the petitioner, liberty is given to him to make a representation to the 1st respondent after verifying whether profession tax has been deducted from his salary twice for the preceding six months and on such representation being made, the 1st respondent shall consider and pass appropriate orders thereon. It is made clear that if it is found that the professional tax has been paid by the petitioner twice for the preceding six months, the 1st respondent shall refund the same to the petitioner, if not, to pass suitable orders in this regard.

5. With the above observation and direction, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

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To

1. The Principal,
Government College of Architecture and Sculpture,
Mamallapuram-603 104,
Kancheepuram District.
2. The Commissioner,
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Tamil Salai, Egmore, Chennai-8.
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Tourism, Culture and Religious Endowments
Department, Fort St. George, Chennai-9.

+1 cc to Mr.R.Baskaradoss, Advocate SR.NO. 1512

+1 cc to the Government Pleader, High Court, Chennai-104 SR.NO.1847

W.P.No.32639 of 2017

JK 30/01/18