



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2794 of 2018

WEB COPY

K.Manickam

... Petitioner

Vs.

1. The Principal Secretary to Government,
Home Department,
Chennai-600 009.
2. The Accountant General (A&E),
Office of the Accountant General,
No.361, Anna Salai,
Chennai-18.
3. The Director,
The Fire and Rescue Services Department,
No.1, Greams Road,
Ayiram Vilakku,
Chennai.
4. The Zonal Officer,
The Fire and Rescue Services Department,
Karur Zonal,
Karur.

... Respondents

PRAYER : This Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to reimburse the recovery amount of Rs.1,84,757/- recovered from the petitioner vide proceedings of the 4th respondent dated 24.08.2011 in Ku.Pa.No.02/2010 with all benefits based on the representation of the petitioner dated 21.06.2014.

For petitioner	: Mr.T.Selvan
For R1, R3 & R4	: Mr. Jeyakumar Additional Government Pleader
For R2	: Mr.Gunasekaran

ORDER

The petitioner is a retired employee of the Fire and Rescue Service Department. He retired on superannuation on 31.03.2013. When he was on duty in the year 2010, the vehicle which he was driving capsized and suffered damage. In this regard, a criminal case was also registered. The petitioner was proceeded against departmentally. It was directed that a sum of Rs.1,84,757/- was to be recovered from the petitioner's retirement benefits. The



petitioner filed an appeal, but the appellate authority also confirmed the order of punishment. In consequence, the said amount was recovered from his retirement benefits.

2. Thereafter, the petitioner submitted a representation to the Government requesting for reconsideration. The Government called for remarks from the fourth respondent. The fourth respondent recommended refund. Now the matter is pending before the first respondent. The petitioner has also given a representation dated 21.06.2014, followed by yet another representation dated 07.01.2018 to the Government.

3. The first respondent is directed to consider the same and pass appropriate orders within a period of eight weeks from the date of receipt of the copy of this order.

4. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Home Department,
Chennai-600 009.
2. The Director,
The Fire and Rescue Services Department,
No.1, Greams Road,
Ayiram Vilakku,
Chennai.
3. The Zonal Officer,
The Fire and Rescue Services Department,
Karur Zonal,
Karur.

+1cc to Mr.T.Selvan, Advocate SR.No.56796
+1cc to Mr.P.Gunasekaran, Advocate Sr.No.56880
+1cc to The Spl. Government pleader Sr.No.56700

PNN

VB/SV/MMS/SAR2/07/05/2018/2P/7C