

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18276 of 2019

M.Karunanidhi

... Petitioner

Vs.

The Director of Adi Dravidar and
Tribal Welfare Department,
Chepauk, Chennai - 600 005.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 03.01.2018.

For Petitioner : Mr.S.Ilamvaludhi

For Respondent : Mrs.A.Srijayanthi
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 03.01.2018.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3.The case of the petitioner is that he joined in the Adi Dravidar and Tribal Department as Teacher and was promoted to the post of Head Master of Middle School of Government Tribal Residential Middle School and was permitted to retire from service on 31.08.2009. Thereafter, the petitioner was permitted to serve as Head Master from 01.09.2009 to 31.05.2010 by reappointment till the academic year is over. Thereafter, special grade as admissible to the Graduate Teacher was sanctioned to the petitioner, however, vide proceedings dated 25.09.2010, the Special Tahsildar of Adi Dravidar and Tribal

Welfare, Kallakurichi ordered to recover the amount already sanctioned and also revised the fixed time scale. Aggrieved by the same, the petitioner has filed the present writ petition.

4.The learned counsel appearing for the petitioner would submit that though the recovery order was passed in the year 2010, the petitioner came to know that the said recovery order is bad in law only after seeing various decisions of this Court. Hence, the petitioner made representation to the respondent on 03.01.2018, however, the same has not yet been considered. Accordingly, he prayed for appropriate orders.

5.Though counter was not filed in the present case, the fact remains that the petitioner has filed this writ petition after a lapse of nearly nine years from the date of the recovery order, which is not permissible and there is also no proper explanation for the delay.

6.Hence, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

The Director of Adi Dravidar and
Tribal Welfare Department,
Chepauk, Chennai - 600 005.

+1cc to Mr.S.Ilamvaludhi, Advocate SR.76979

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(CO)
CB(24/10/2019)

सत्यमेव जयते

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