

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P.(MD) No.6502 of 2013**

K.Gopalakrishnan

... Petitioner

vs.

1.The Secretary to Government

Adi Dravidar and Tribal Welfare Department

Fort St.George, Chennai-600 009

2.The Commissioner

Adi Dravidar and Tribal Welfare Department

Chepauk, Chennai-600 009

3.The District Adi Dravidar and Tribal Welfare Officer

Kanyakumari District, Nagercoil

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to disburse Rs.2,06,449/- which was recovered from the petitioner's pensionary benefits along with 22% of interest till the date of its payment in light of the appeal dated 12.11.2011 pending before the first respondent more particularly within a time stipulated by this Court.

For Petitioner : Mr.J.Pooventhera Rajan

For Respondents : Mr.D.Muruganandham

Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to reimburse the recovered amount of Rs.2,06,449 /-, which was recovered from the writ petitioner's pensionary benefits.

2. The learned counsel appearing for the writ petitioner states that the appeal preferred by the writ petitioner, on 12.11.2011, before the second respondent, is still pending.

3. In view of the fact that the appeal preferred by the writ petitioner is still pending, the second respondent is directed to consider the appeal and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to ~~enclose a copy~~ of the appeal papers as well as all the relevant documents, if any, along with a copy of this order and submit the same to the second respondent, before whom the appeal is said to be



4. Accordingly, the writ petition stands disposed of. No

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Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To:

- 1.The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Chennai-600 009.
- 2.The Commissioner,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai-600 009.
- 3.The District Adi Dravidar and Tribal Welfare Officer,
Kanyakumari District, Nagercoil.

+1CC TO MR.J.POOVENTHRERAJAN, Advocate Sr. No.72882
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.72455

W.P. (MD) No.6502 of 2013
28.06.2019

SVN(CO)

TR (05.07.2019) 2P 6C