



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2020

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.13748 of 2013

and

M.P.(MD)No.1 of 2013

S.Sathiamoorthy

... Petitioner

-Vs-

1. The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Collectorate Campus, Thoothukudi.
2. The Administrative Officer,
Office of the Joint Director of Agriculture,
Collectorate Campus, Thoothukudi.
3. The Superintendent,
Account Section,
Office of the Joint Director of Agriculture,
Collectorate Campus, Thoothukudi.
4. The Section Assistant (Ka-7),
Account Section,
Office of the Joint Director of Agriculture,
Collectorate Campus,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned letter Na.Ka.No.Ka7/6580/2013, dated 22.07.2013 and quash the same as illegal and consequently to direct the respondent, the respondents 1 to 4 to disburse petitioner's salary which is withheld illegally by the respondents for past six months and direct the respondents to pay the compensation as the respondents failed to pay petitioner's salary in time.

For Petitioner	: Mr.V.Rajiv Rufus
For Respondents	: Mr.S.Dhayalan
	Government Advocate



ORDER

The writ petitioner had not filed the income tax assessment statement for the financial year 2012-13, which is mandatory for claiming salary for the month of February 2013.

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2. In view of the fact that the income tax assessment statement had not been filed, his salary was withheld. The bill presented without income tax assessment statement for the financial year 2012-13 was audited by the Treasury. Thereafter, the writ petitioner had submitted the income tax assessment statement on 17.03.2014 to the Office of the Joint Director of Agriculture, Thoothukudi and the bill was presented to the Treasury on 26.03.2014 and the same was passed by the Treasury on 27.03.2014 itself. Without even informing the fact, the learned counsel appearing on behalf of the writ petitioner submitted that the petition may be allowed, since the petition is pending before this Court for the past more than six years. Such a behaviour of the writ petitioner, who was working as an Assistant Seed Officer cannot be appreciated. The litigants once the issues are settled and the grievances are redressed, they are expected to inform the same to their counsel immediately and before the Court enabling this Court to dispose of the matter and to avoid unnecessary pendency. However, the fact is now brought before this Court by the learned Government Advocate and the letter issued by the Joint Director of Agriculture, dated 01.04.2014 is also placed before this Court.

3. This being the factum, no further consideration is required in the present writ petition and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

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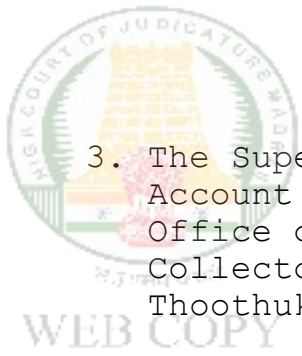
/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Joint Director of Agriculture,
Office of the Joint Director of Agriculture,
Collectorate Campus, Thoothukudi.
2. The Administrative Officer,
Office of the Joint Director of Agriculture,
Collectorate Campus, Thoothukudi.



3. The Superintendent,
Account Section,
Office of the Joint Director of Agriculture,
Collectorate Campus,
Thoothukudi.

4. The Section Assistant (Ka-7),
Account Section,
Office of the Joint Director of Agriculture,
Collectorate Campus,
Thoothukudi.

+1 CC to the SPL GP (SR-21746[F] dated 10/11/2020)

W.P. (MD) .No.13748 of 2013
09.11.2020

VR(CO)
CS(24.11.2020) 3P 6C