



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 13465 of 2016

R.Karunanidhi

... Petitioner

Vs

1. The Principal Secretary to Government,
Home (Courts) Department,
Secretariat, Chennai - 600 009.

2. The District Collector,
Dharmapuri District,
Dharmapuri.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to forthwith disburse with a time limit the fees payable to the petitioner as Law Officers amounting to Rs.7,38,875/- for the period from 16.06.2006 to 30.08.2011 with 12% interest per annum compounded annually for the delayed disbursement.

For Petitioner	:	Mr.D.Baskar
For Respondents	:	Mr.C.Kathiravan Government Advocate

O R D E R

The grievances of the writ petitioner is that the legal fees admissible as per the rules has not been settled in favour of the petitioner. The petitioner submitted a representation to the District Collector on 08.10.2015 setting out the facts and details regarding the claim. However, the authorities have not considered the same. Contrarily, the District Collector has stated that as per the records, the payment has already been made and in respect of the further claim, the files are under search.

2. In the absence of files, the legal fees to be paid cannot be determined. However, the petitioner in his representation dated 08.10.2015 setting out the details. Under these circumstances, the petitioner is at liberty to submit documents



and evidences to the competent authority substantiating his claim along with the representation. In the event of filing relevant documents and evidences, the authorities may be in a position to consider the same on merits and in accordance with law. Contrarily, this Court cannot issue a direction in view of the fact that the respondents stated that they have settled the amount and further files are not available. But the petitioner submits that the entire legal fees has not been settled. Thus, the petitioner has to submit relevant documents and evidences and enabling the authorities to consider the same. In the event of any such documents and evidences by the petitioner, the same shall be considered on merits and in accordance with law by the Competent Authority.

3. Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vji / mka

To

1. The Principal Secretary to Government,
Home (Courts) Department,
Secretariat, Chennai- 600 009.

2. The District Collector,
Dharmapuri District, Dharmapuri.

+1 CC to Mr.R. Thamarai Selvan, Advocate sr 50175

+1 CC to The Government Pleader sr 50549.

W.P. No. 13465 of 2016

BR(CO)
SP(26/10/2021)