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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P. No. 15112 of 2016
and
WMP No.13169 of 2016

Kala Ramesh

..Petitioner

Versus

1. The Deputy Secretary to Government
Transport (J) Department
Government of Tamil Nadu
Fort St.George, Chennai - 600 009.
2. The Managing Director,
State Express Transport
Corporation (Tamil Nadu), Ltd.,
Pallavan Salai, Chennai - 600 002.
3. The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan Salai, Chennai - 600 002.
4. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
19, Trivandrum Road, Wannarpet,
Tirunelveli.
5. The General Manager,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Nagercoil Division, Nesamani Nagar,
Ranithottam, Nagercoil.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and dispose the representation dated 08.01.2016 obligating the respondents 2 to 5 to arrange for settlement of unpaid professional fee and expenses bills to the petitioner within a reasonable time fixed by this Court.



For Petitioner : Mr. A. Thayaparan
For Respondents : Mr. P. Paramasivadosh for R2
Mr. K. Murthy for R3
Mr. D. Ragu for R4

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O R D E R

The prayer made in this writ petition is to issue a Writ of Mandamus directing the first respondent to consider and dispose the representation of the petitioner dated 08.01.2016 obligating the respondents 2 to 5 to arrange for settlement of unpaid professional fee and expenses to the petitioner within a reasonable time fixed by this Court.

2. According to the petitioner, she is practicing as an Advocate at Chennai High Court, having enrolled in the Bar Council of Tamilnadu on 30.01.1985. Her name was included in the panel list of lawyers by the respondents 2 to 5 herein and she has been entrusted with the civil cases relating to labour/service matters and motor accidents claim appeal cases for defending and prosecuting at High Court of Madras on behalf of respondents 2 to 5 since 1993. She has appeared on behalf of the respondents 2 to 5 in several cases and they were disposed of. Thereupon, she claimed her professional fees and expenses for each and every case after disposal of the same by raising bills enclosing the certified copies of the orders.

3. It is the grievance of the petitioner that though she has promptly and regularly raised bills separately for each and every case, to which she has entered appearance on behalf of the respondents 2 to 5, the same were not considered by the respondents. Having regard to the same, she sent independent reminder letters to the respondents 2 to 4. Since there was no response for the same, she sent a letter dated 28.8.2014 to the first respondent being the Administrative and Financial Head of the State owned corporation, enclosing copies of letters and bills sent to respondents 2 to 4. Again she sent another representation on 8.1.2016 to the first respondent requesting to settle the outstanding dues within a reasonable time, for which the first respondent, vide its letters dated 27.1.2016 and 8.3.2016, directed the respective respondent transport corporations to settle the legal fees and expenses by marking a copy to her, however the respondents 2 to 5 did not take any steps to settle the pending bills. In the stated circumstances, the petitioner has filed the present writ petition for the aforesaid relief.

4. Heard the learned counsel appearing for the petitioner



as well as the learned counsel appearing for the respondents.

5. Having regard to the submissions made on either side, the first respondent is directed to consider the claim of the petitioner, based on her representation dated 8.1.2016 and pass orders thereon on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and other parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

1. The Deputy Secretary to Government,
Transport (J) Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
2. The Managing Director,
State Express Transport Corporation (Tamil Nadu), Ltd.,
Pallavan Salai, Chennai - 600 002.
3. The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan Salai, Chennai - 600 002.
4. The Managing Director,
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19, Trivandrum Road, Wannarpet, Tirunelveli.
5. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Division, Nesamani Nagar, Ranithottam,
Nagercoil.

+1cc to M/s.K.Moorthy, Advocate, S.R.No.44913
+1cc to the Government Pleader, S.R.No.45183

WP No.15112 of 2016

RGN(CO)
RGA(12/10/2021)