



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.14164 of 2021

B.Annamalai
Ex-Government Pleader,
Pleader doing Government work,
Principal District Munsif Court &
Addl. District Munsif Court, Vellore

.. Petitioner

Versus

The District Collector
Sathuvachari
Vellore District
Vellore-9.

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to pay the professional fee of Rs.14,22,000 due and payable to the petitioner along with accrued interest @ 12% per annum in pursuant to his engagement as Government Pleader in Principal District Munsif Court, Vellore and Additional District Munsif Court, Vellore within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

For Respondent : Mr.Stalin Abhimanyu
Government Counsel

O R D E R

The prayer made in this writ petition is to issue a Writ of Mandamus directing the respondent to pay the professional fee due and payable to the petitioner, along with accrued interest, pursuant to his engagement as Government Pleader in Principal District Munsif Court, Vellore and Additional District Munsif Court, Vellore within a stipulated time.

2. According to the petitioner, he was appointed as Government Pleader/Pleader for contesting or defending the cases filed against the Government before the District Munsif Court,



Vellore, vide GO(D) No.846 Home (Cts.VIA) Department dated 29.08.2011. On the basis of such appointment, the petitioner took charge of the post on 7.9.2011 and appeared on behalf of the Government in 237 original suits, which were disposed of. The petitioner therefore submitted his application claiming professional fees for each and every case in which he has appeared after those cases were disposed of by the Court by duly enclosing the copy of the judgment and decree passed by the trial Court in accordance with the guidelines issued by the Government in GO(Ms) No.373 Home (COURTS.I) Department dated 9.3.1995 and GO(Ms) No.36 Home (COURTS.VIA) Department dated 12.01.2011.

3. The grievance of the petitioner is that though he has promptly and regularly sending the claim applications separately for each and every case in which he has entered appearance on behalf of the Government, the respondent has not disbursed the professional fee claimed thereof. The petitioner also sent letters dated 8.6.2017 , 23.6.2017 claiming professional fee @ Rs.6000/- per case for 147 cases to the tune of Rs.14,22,000/-, but those letters have failed to invoke any response from the respondent. Therefore, the petitioner was constrained to send a legal notice dated 11.5.2021 calling upon the respondent to pay fee, but the respondent has not initiated any action towards settling the same.

4. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondent.

5. Having regard to the submissions made on either side, the respondent is directed to consider the claim of the petitioner, based on his claim letters dated 8.6.2017 and 23.06.2017 and pass orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

msr



To

The District Collector,
Sathuvachari,
Vellore District,
Vellore-9.

+1cc to Mr.T.P.Prabakaran, Advocate, S.R.No.41307

+1cc to the Government Pleader, S.R.No. 41771

WP.No.14164 of 2021

KSM(CO)
CS/24/09/2021