



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.23934 OF 2021

K.Sasindran

... Petitioner

Vs.

1. The Union of India rep.by
The District Collector,
Collectorate, Vachudhavor Road,
Puducherry.
2. The Director,
Directorate of Accounts and Treasuries,
Puducherry.
3. The Stock Holding Corporation of India Limited,
No.201, 1st Floor, Mission Street,
Puducherry Bazaar,
Puducherry 605 001.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to refund the amount of Rs. 27,015/- which was wrongly debited twice from the petitioner's account due to technical fault in the 3rd respondents website along with the interest at the rate of 12% per annum from 16.03.2021 to till the date of realization.

For Petitioner : Mr.K.Sasidran, Party in Person

For Respondents : Mr.Pazhanirajan
Central Government
Standing Counsel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to refund the amount of Rs. 27,015/-, which was wrongly debited twice from the petitioner's account due to technical fault in the 3rd respondents website.



3. The case of the petitioner is that he is an advocate and practicing before this Court and also regularly filing various cases before this Court in respect of disputes arose in Puducherry region. The Puducherry Government have stopped issuing Court fees stamps and introduced E-Court fee stamps through online mode for purchase of e-court fee for filing puducherry region cases. The Government of Puducherry had authorized the 3rd respondent to generate and sale Puducherry E-Court fee through online mode vide their website. On 10.03.2021, the petitioner attempted to generate E-court fees for a sum of Rs.27,015/- in the name of his client for filing an Appeal Suit and while making payment, the webpage of the 3rd respondent has frozen and no e-court fee was generated and no amount was debited from his bank account also and thereafter the petitioner made another attempt to generate Puducherry E-Court fee for the same amount and again faced the same issue. While being so, to his shock and surprise, on the next day, when he logged into the Website, had found that the above said two failed transaction was turned into E-court Fee and the amount of Rs.27,015/- was debited twice from his bank account. Further, the petitioner has utilized the E-Court fee generated in receipt No.PYCT1002C2131S827 for filing Appeal Suit and another receipt in No.PYCT1002C2131S840 has been kept unused. As the E-Court fee in receipt No. PYCT1002C2131S840 generated due to the technical fault in the 3rd respondent's Website, the petitioner made a request to the 3rd respondent seeking return of amount of Rs.27,015/-, however, he was informed to approach the 1st respondent for getting back the amount and thereby, he made a representation to the 1st respondent on 16.03.2021, seeking refund of the above said amount. On receipt of the petitioner's representation, the Deputy Collector (HQ) sent a letter dated 30.06.2021 to the 2nd respondent, directed him to take necessary action. However, though the said direction issued by the Deputy Collector to the 2nd respondent, no action or whatsoever was taken on the representation of the petitioner. Hence, the petitioner left with no other option, has filed the present Writ Petition.

4. The learned counsel appearing for the petitioner submitted that this it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 16.03.2021 and pass orders on the same within a particular time frame as fixed by this Court.



5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's representation dated 16.03.2021 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order and if the petitioner is eligible for refund of the E-Court Fee, the concerned authority shall refund the amount to the petitioner within a further period of four weeks. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
The Union of India
Collectorate, Vachudhavoar Road,
Puducherry.
2. The Director,
Directorate of Accounts and Treasuries,
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3. The Stock Holding Corporation of India Limited,
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SPD(CO)
RLP(16/12/2021)