



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

CORAM:

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) .No.20077 of 2021

G.Kamaraj

... Petitioner

Vs.

1. The Secretary,
Municipal Administration,
Fort St.George,
Chennai.

2.The Commissioner,
Municipality,
Thuraiyur,
Trichy District.

... Respondents

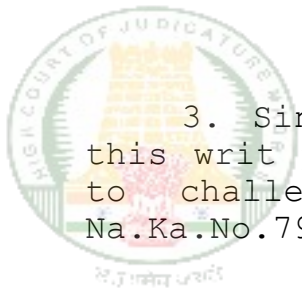
Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to repay the said sum of Rs.1,20,670/- unlawfully deducted from the pension benefits of the petitioner on the premise of payment of income tax as regards the salary earned by the petitioner in respect of Earned Leave and Unearned Leave on private affairs with legal rate of interest.

For Petitioner	: Mr.V.Singan
For Respondents	: Mr.A.K.Manickam, Government Advocate (Civil) for R1 Mr.M.Rajarajan for R2

ORDER

This Writ Petition has been filed for a Mandamus directing the respondents to repay a sum of Rs.1,20,670/- as unlawfully deducted from the pension benefits of the petitioner, on the premise of payment of income tax as regards the salary earned by the petitioner in respect of Earned Leave and Unearned Leave on private affairs with legal rate of interest.

2. Mr.M.Rajarajan, learned counsel appearing for the second respondent submits that the second respondent has already passed an order on 14.05.2020 on the representation sent by the petitioner. Therefore, if the petitioner is aggrieved over the above said order, he has to challenge the same in the manner known to law.



3. Since the second respondent has already passed the order, this writ petition is disposed of with a liberty to the petitioner to challenge the proceedings of the second respondent in Na.Ka.No.792 of 2020/C1 dated 14.05.2020. No costs.

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

To

1. The Secretary,
Municipal Administration,
Fort St.George,
Chennai.

2.The Commissioner,
Municipality,
Thuraiyur,
Trichy District.

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to M/s.SPL.GP (SR-33936[F] dated 10/11/2021)

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-33822[F] dated 09/11/2021)

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PS (CO)

KB(02.12.2021) 2P 5C