



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.4559 of 2017

WEB COPY

P.Kusalavan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
represented by its Principal Secretary to Finance Department,
Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison,
Prisonary Department,
No.I,Gandhi Irvin Road,
Egmore,
Chennai -8.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai.
- 4.The Principal Accountant General,
(Accounts and Entitlement),
Tamil Nadu,
Chennai -18.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to cancel the recovery amount of Rs.19,192/- (Rupees Nineteen Thousand one hundred and ninety two only), on the basis of the petitioner's representation, dated 26.04.2016.

For Petitioner : Mr.A.Rajaram

For R1 to R3 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

For R4 : Mr.P.Gunasekaran

O R D E R

This writ petition has been filed for a direction to the respondents to cancel the recovery amount of Rs.19,192/-, on the basis of the petitioner's representation, dated 26.04.2016.



2. The learned counsel appearing for the petitioner would submit that the recovery order was passed after the retirement of the petitioner and hence, he made a representation before the third respondent on 26.04.2016, requesting him to cancel the recovery amount of Rs.19,192/-. However, till date no order was passed. Hence, the learned counsel for the petitioner would submit that it would suffice, if the third respondent is directed to dispose of the representation of the petitioner, dated 26.04.2016, on merits and in accordance with law, within a specified period.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 has no serious objection for such an order being passed by this Court.

4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the petitioner's representation, dated 26.04.2016 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

1.The Principal Secretary to Finance Department,
Government of Tamil Nadu,
Fort St. George,
Chennai 600 009.

2.The Additional Director General of Prison,
Prisonary Department,
No.I,Gandhi Irvin Road,
Egmore,
Chennai -8.



3.The Superintendent of Prison,
Madurai Central Prison,
Madurai.

4.The Principal Accountant General,
(Accounts and Entitlement),
Tamil Nadu,
Chennai -18.

+1 CC to MR.A.RAJARAM, Advocate (SR-9020[F] dated 05/03/2021)

+1 CC to SPL GP (SR-9495[F] dated 08/03/2021)

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