



W.P.(MD)No.5945 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.5945 of 2013

S.Mohamed Ismail Sait

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Transport Department,
Chennai – 9.

2.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Tirunelveli District.

3.The Deputy Manager (Legal),
Tamil Nadu State Transport Corporation Limited,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to sanction and pay a sum of Rs.9,97,081/- towards fees dues for the cases conducted by the petitioner as per the lists of



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cases set out in annexure herewith for the respondent Transport Corporation as a Panel Advocate by considering the petitioner's representation dated 08.03.2013 as per the Legal Practitioners Fees Rules, 1973 and on the basis of the legal practitioners fees awarded by the courts within the period that may be stipulated by this Court.

For Petitioner : Mr.V.Karthik Raja
for M/s.Ajmal Associates

For Respondents : Mr.P.Thambidurai
Government Advocate for R1
Mr.K.Sathiya Singh for R2 & R3

ORDER

The present writ petition has been filed seeking for a Writ of Mandamus as against the second respondent to sanction the legal fees of a sum of Rs.9,97,081/- for the cases conducted by the petitioner as per the annexure.

2. The learned Counsel for the petitioner contended that he is entitled to seek legal fees as per the Legal Practitioners Fees Rules, 1973. Admittedly, the petitioner is the Standing Counsel for the second respondent Corporation. Being a Standing Counsel of the second



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respondent Corporation, he is entitled to receive the fees only as per the Government Orders prevailing at that point of time for the said Transport Corporation. The question of invoking Legal Practitioners Fees Rules, 1973 will not arise. In case, if the second respondent Corporation has not sanctioned or released the amount as per the applicable Government Order, the same shall be released within a period of twelve weeks from the date of receipt of a copy of this order.

3. With the above said observations, this Writ Petition is disposed of. No costs.

22.07.2022

Index : Yes / No
Internet : Yes / No
jbr

To

1.The Secretary to Government,
Transport Department,
Chennai – 9.

2.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Tirunelveli District.

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R.VIJAYAKUMAR ,J.

jbr

3.The Deputy Manager (Legal),
Tamil Nadu State Transport Corporation Limited,
Tirunelveli District.

Order made in
W.P.(MD)No.5945 of 2013

22.07.2022