



WEB COPY



W.P.No.8486 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8486 of 2012

and

M.P.No.1 of 2012

Nazar T.

....

Petitioner

Vs

1. The General Manager (Finance)
National Aviation Company of India Ltd.,
(NACIL) Southern Region,
Airline House, Chennai – 600 027.

2. Air Corporation Employees
Co-operative Credit Society Limited,
REG No.CR-25/86,
Airlines House, Meenambakkam,
Chennai – 600 027.

....

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to release the entire liability amount of Mr.Lakshmipathy, Employee No.958166 to the 2nd respondent from his final settlement amount and consequently return the entire amount recovered from the petitioner's salary to the petitioner within the stipulated time as fixed by this Court.

1/4



W.P.No.8486 of 2017

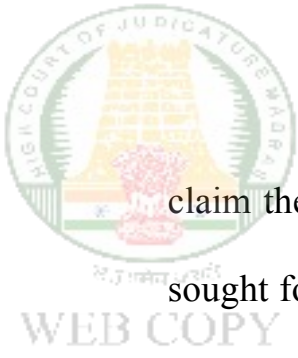
For Petitioner : Mr.P.Thiagarajan
For R1 : No appearance
For R2 : Mr.MA.Abdul Wahab
for M/s.K.V.Subramaniam Associates

ORDER

This Writ Petition has been filed for direction directing the first respondent to release the entire liability amount of Mr.Lakshmipathy to the second respondent from his final settlement and consequently return the amount which was recovered from the petitioner's salary to the petitioner.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is an employee of the first respondent. He stood as surety for one of the co-employee, viz., Lakshmipathy, for a loan availed by him. However, the said Lakshmipathy failed to repay the said loan and as such, the second respondent proceeded against the petitioner, who stood as surety. Accordingly, his salary has been deducted for realising the loan amount borrowed by the said Lakshmipathy. The petitioner cannot claim the said amount from the final settlement of the said Lakshmipathy, in order to



W.P.No.8486 of 2017

claim the amount which was deducted from his salary. Therefore, the prayer sought for in this writ petition cannot be considered. Thus, the writ petition is devoid of merits and is liable to be dismissed.

4. In the result, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

26.09.2023

Index : Yes/No
Internet : Yes/No
Lpp

To

1. The General Manager (Finance)
National Aviation Company of India Ltd.,
(NACIL) Southern Region,
Airline House, Chennai – 600 027.

2. Air Corporation Employees
Co-operative Credit Society Limited,
REG No.CR-25/86,
Airlines House, Meenambakkam,
Chennai – 600 027.



WEB COPY



W.P.No.8486 of 2012

G.K.ILANTHIRAIYAN.J

Lpp

W.P No.8486 of 2012
and
M.P.No.1 of 2012

26.09.2023