



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2023

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3863 of 2023

M.Vinoth Kumar

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Home Department,
Secretariat,
Chennai.

2.The Director General of Police /
The Director General of Prisons,
Chennai.

3.The Superintendent
Central Prison,
Madurai.

... Respondents

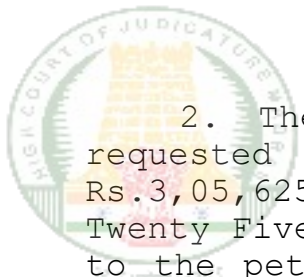
PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the second respondent to reimburse a sum of Rs.3,05,625/- pursuant to the Government Order in G.O.(Ms)No. 432 Home (Prison - II) Department, dated 11.04.2022 along with the accrued and appropriate rate of interest as per law forthwith.

For Petitioner : Mr.R.Anand

For Respondents : Mr.Christy Theboral
Additional Government Pleader

ORDER

This writ petition has been filed to direct the second respondent to reimburse a sum of Rs.3,05,625/- (Rupees Three Lakhs Five Thousand Six Hundred and Twenty Five only) pursuant to the Government Order in G.O.(Ms)No. 432 Home (Prison - II) Department, dated 11.04.2022 along with the accrued and appropriate rate of interest as per the law, forthwith.



2. The case of the petitioner is that the petitioner as requested the respondents to return the recovered salary of Rs.3,05,625/- (Rupees Three Lakhs Five Thousand Six Hundred and Twenty Five only) along with its accrued interest that has to be paid to the petitioner and the same was not considered. Therefore the petitioner filed a writ petition before this Court in W.P.(MD) No.13390 of 2019 and this Court disposed of the writ petition with a direction to the first respondent to consider the petitioner's representation within a period of 12 weeks from the date of receipt of a copy of that order. Thereafter, the petitioner filed a Contempt Petition before this Court in Cont.P.(MD) No.352 of 2022 and on the date of hearing, the contemnor namely, the first respondent has produced a Government Order in G.O.(Ms)No. 432 Home (Prison - II) Department, dated 11.04.2022, wherein, the first respondent has directed the respondents 2 and 3 to reimburse the aforesaid amount. Even after passage of ten months from the date of Government Order, till now, the second respondent, in spite of repeated representation, has not come forward to comply with the said direction. Hence, the present writ petition is filed.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to consider the petitioner's representation, dated 11.07.2022 and pass appropriate orders within a reasonable time.

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

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's representation, dated 11.07.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

RM

<https://www.mhc.tn.gov.in/judis>



W.P.(MD)



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1. The Additional Chief Secretary to Government,
Home Department,
Secretariat,
Chennai.
 2. The Director General of Police /
The Director General of Prisons,
Chennai.
 3. The Superintendent
Central Prison,
Madurai.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.SPL.GP (SR-11152[F] dated 27/02/2023)

W.P. (MD) No. 3863 of 2023
24.02.2023

PKP/(10.03.2023) / 3P/ 6C