



W.P.(MD)No.20555 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 22.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20555 of 2021

Asokan

... Petitioner

Vs.

The District Collector,
District Collector Office,
Pudukottai District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to pay Legal Fee and Retained Fee to the Petitioner for working as Additional Public Prosecutor before the Additional District and Sessions Judge, Pudukkottai for the period from 25.05.2017 to 25.09.2017.

For Petitioner : Mr.C.Mayilvahana Rajendran
For Respondent : Ms.S.Jeyapriya
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent to pay the legal fee and retainer fee to the petitioner for the period from 25.05.2017 to 25.09.2017 when the petitioner was performing



W.P.(MD)No.20555 of 2021

his duty as an Additional Public Prosecutor before the learned Additional District and Sessions Judge, Pudukottai.

2. When the matter is taken up for hearing today under the caption 'for clarification', the learned Government Advocate, based on the written instructions, submitted that the legal fee and retainer fee of the petitioner were not paid.

4. On going through the written instructions received from the District Collector, it is seen that one Mr.S.Aravind, who was also functioning as Additional Public Prosecutor has claimed the fee for the period from 21.07.2017 to 30.09.2017. In view of the same, the claim made by the petitioner was not considered and it is noted that the petitioner had functioned as Additional Public Prosecutor for the period 30.05.2017 to 20.07.2017.

5. The learned counsel for the petitioner submitted that the bill that was raised by the petitioner was countersigned by the learned Additional District Judge (FAC), Pudukottai and the same has been placed before the District Collector, Pudukottai District. The relevant documents were also placed before this Court.



W.P.(MD)No.20555 of 2021

6. On going through the said documents, it is seen that the petitioner has raised the bills from May 2017 to September 2017 to the tune of Rs.30,000/- and the learned District Judge has also forwarded a communication dated 13.12.2021 in this regard to the District Collector.

7. In view of the above, there shall be a direction to the respondent to act upon the communication dated 13.12.2021 made by the learned Additional District Judge (FAC), Pudukottai and pay the legal fee and retainer fee to the petitioner. If some other counsel has wrongly claimed the fee for this period and it has been paid, the same shall be recovered from the concerned counsel. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above directions. No costs.

22.11.2023

NCC : Yes / No

Index : Yes/No

Internet : Yes/No

ta

To

The District Collector,
District Collector Office,
Pudukottai District.



WEB COPY



W.P.(MD)No.20555 of 2021

N.ANAND VENKATESH, J.

ta

W.P.(MD)No.20555 of 2021

22.11.2023