



WMP(MD) No.17208 of 2023

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)**

Thursday, the Fourteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND

WMP(MD) No.17208 of 2023

IN

W.P(MD)No. 22180 of 2016

WMP(MD). 17208/ 2023

1. The State of Tamil Nadu

**Rep. by its Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai-9.**

**2. The Director of Collegiate Education,
O/o. the Director of Collegiate Education,
9th Floor, Evk Sampath Buildings,
College Road, Chennai - 600 006.**

**3. The Regional Joint Director of Collegiate Education,,
O/o/ the Regional Joint Director of Collegiate Education,
Madurai Region, Shenoy Nagar,
Madurai - 625 020.**

... Petitioners/Respondents

-vs-

1. R.A.Ramachandran

...1st Respondent /Petitioner

**2. The Principal
Nadar Mahajana Sangam,
S.Vellaichamy Nadar College, Nagamalai,
Madurai -625 019.**

... 2nd Respondent/4th Respondent



WMP(MD) No.17208 of 2023

PRAYER IN WMP(MD)No. 17208 of 2023:

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant leave to file counter affidavit in WP(MD) 22180/2016.

WP(MD). 22180/ 2016

R.A.Ramachandran

... Petitioner

Vs

1 The State of Tamil Nadu

Rep. by its Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai-9.

2. The Director of Collegiate Education,
O/o. the Director of Collegiate Education,
9th Floor, Evk Sampath Buildings,
College Road, Chennai - 600 006

3. The Regional Joint Director of Collegiate Education,,
O/o/ the Regional Joint Director of Collegiate Education,
Madurai Region, Shenoy Nagar,
Madurai - 625 020.

4. The Principal
Nadar Mahajana Sangam,
S.Vellaichamy Nadar College, Nagamalai,
Madurai -625 019.

..Respondents

Prayer in WP(MD). 22180/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No. 4474/ Aa2/2015 on the file of the Respondent No.3 dated 30.03.2016 and quash the same as illegal and consequently for a direction, directing the Respondent to provide interest at the rate of 12% for the belated payment of Provident Fund to the tune of Rs.8,19,621/- to the petitioner from 28.02.2011 to 23.06.2014 within the time period stipulated by this Honble Court.

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



WMP(MD) No.17208 of 2023

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ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.NIRMAL KUMAR, Government Advocate for the petitioners in WMP(MD)No. 17208 of 2023 and for the Respondents 1 to 3 in WP(MD)No.22180 OF 2023 and of MR.S.RAJASEKAR, Advocate for the Petitioner in WP(MD)NO. 22180 of 2016 and for the 1st Respondent in WMP(MD)NO. 17208 of 2023 and of MR.N.DILIP KUMAR, Advocate for the 2nd Respondent in WMP(MD)No. 17208 OF 2023 and for 4th Respondent in WP(MD)No. 22180 OF 2016,the court made the following order:-

The Miscellaneous petition is filed seeking leave of the court to file a counter affidavit in this Writ Petition.

2. Admittedly, counter affidavit has been filed beyond the time stipulated in Rule 24(2) of Madras High Court Writ Rules.

3. However, counter affidavit is essential for proper adjudication for issue involved in this Writ Petition.

4. In view of the same, it is appropriate to permit the petitioner to file counter affidavit subject to certain condition.

5. Accordingly, this miscellaneous petition is allowed and counter affidavit is taken on file on condition that the petitioner shall pay the cost of Rs.10,000/- (Rupees Ten Thousands Only) to Madurai Bench of Madras High Court Advocates Welfare Fund Trust, A/c No.7087208431, Indian Bank, Madurai Bench of Madras High Court



WMP(MD) No.17208 of 2023

Branch, IFSC-IDIB000H040, within a period of one week and file a memo of cost before the Registry by the next date of hearing.

6. Post the main Writ Petition on 21.09.2023.

sd/-
14/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CM

TO

- 1 THE PRINCIPAL SECRETARY,
DEPARTMENT OF HIGHER EDUCATION,
FORT ST.GEORGE, CHENNAI-9.
- 2 THE DIRECTOR OF COLLEGIATE EDUCATION ,
O/O THE DIRECTOR OF COLLEGIATE EDUCATION
9TH FLOOR, EVK SAMPATH BUILDING,
COLLEGE ROAD, CHANNAI - 600 006.
- 3 THE REGIONAL JOINT DIRECTOR OF COLLEGIATE EDUCATION,
O/O. THE REGIONAL JOINT DIRECTOR OF COLLEGIATE EDUCATION,
MADURAI REGION, SHENOY NAGER,
MADURAI-20.



WMP(MD) No.17208 of 2023

COPY TO
THE OFFICER INCHARGE,
ADVOCATES WELFARE FUND TRUST,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
WMP(MD) No.17208 of 2023
IN
W.P(MD)No. 22180 of 2016
Date :14/09/2023

PKP/VRS/SAR- /20.09.2023/ 5P/5C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023