



W.A.No.1768 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.A.No.1768 of 2024

and CMP.No. 12674 of 2024

1.S.Baskaran

2. N.Baskar

..Appellants

Vs

1. The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600009.

2.The Managing Director,
Tamil Nadu Adi Dravidar Housing Development Corporation,
No. 31, Cenotaph Road,
2nd land, Teynampet, Chennai-600018.

3.The Director of Adi Dravidar Welfare,
Chepauk, Chennai-600005.

..Respondents

PRAYER: Writ Appeal has been filed under Clause 15 of the Letters Paten Act to set aside the order passed in W.P.No. 4860 of 2024, dated 05.03.2024, insofar as imposing cost of Rs.15000/- (Rupees Fifteen Thousand Only) on each of the appellant alone is concerned.



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For Petitioner : Mr.V.P.Senguttuvel, Senior Counsel.

For Respondents : Mr. M.Habeeb Rahman, Government Advocate

JUDGMENT

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Aggrieved by the order passed by the writ Court in W.P.No. 4860 of 2024, dated 05.03.2024, insofar as imposing cost of Rs.15000/- (Rupees Fifteen Thousand Only) on each of the appellant, the present intra-court appeal has been filed.

2. Initially the writ Court by order dated 05.03.2024 imposed cost of Rs.15,000/- each on the appellants towards Welfare Schemes of Adi dravidar and Tribal Welfare Department in the accounts of respective districts namely 1. Account Name : M/s. District Manager, TAHDCO, Tiruchirappalli, Account No. 009001000013943, IFSC Code : IOBA0000090, Bank : Indian Overseas Bank, Branch: Thillainagar, Trichy; 2. Account Name : M/s. District Manager, TAHDCO, Perambalur, Account



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Number : 129401000002303, IFSC Code : IOBA0001294, Bank : Indian

Overseas Bank, Branch : Perambalur, Shareef Complex,

Madhanagopalapuram. Subsequently, by order dated 22.07.2024, the writ Court enhanced the said costs to Rs. 25,000/-. As directed by the writ Court, entire amount has been deposited by the appellants without prejudice to the rights in the appeal.

3. According to the appellants, the alleged notification was published on 01.02.2024 only in the Chennai City edition of The Hindu and thereafter published on 02.02.2024 in all the districts of Tamil Nadu. Today, the appellants have filed affidavit of undertaking before this Court stating that *'they will not misrepresent the facts of the case and that they will diligently prosecute their claim after verifying factual credentials. They further undertake that they will not mis-state or suppress the material facts while filing the writ petition.'*

4. The learned counsel for the appellant has fairly admitted that the mistake occurred inadvertently and was not intentional.



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5. Accepting the submissions made by the learned counsel for the appellants that the mistake was inadvertent and considering the affidavit of undertaking filed by the appellants, the amount of Rs. 15,000/- each paid by the appellants towards costs may be treated as a donation to the welfare society. Since the total amount of Rs. 25,000/- has been deposited by the appellants, the remaining amount of Rs. 10,000/- each shall be refunded to the appellants upon filing appropriate applications.

6. With the above observations, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(D.K.K., A.CJ.) (K.B.J.)

29.07.2024

Internet: Yes/No

Index : Yes/No

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To

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2.The Managing Director,
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