



W.P.(MD).No.9928 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9928 of 2023

E.Raju

... Petitioner

Vs.

1. The Principal Secretary to Government,
Municipal Administration & Water Supply,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Director of Municipal Administration,
Ezhiagam
Chepauk, Chennai – 600 005.

3. The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to repay the recovered amount of Rs.1,58,829/- from the petitioner's pensionary benefits amount by considering the petitioner's representation dated 16.03.2023 within the time frame that may be stipulated by this Court.



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For Petitioner : Mr.A.Robinson
For R1 and R2 : Mr.A.Baskaran
Additional Government Pleader
For R3 : Mr.S.Vinayak

ORDER

The present Writ Petition has been filed by a retired employee of the third respondent Municipal Corporation seeking a Mandamus to repay the recovered amount of Rs.1,58,829/-, based upon the representation dated 16.03.2023.

2. According to the learned counsel appearing for the petitioner, the petitioner was working as a Motor Attender in the third respondent Municipal Corporation and he attained superannuation on 30.06.2017. The petitioner is receiving pension. Based upon audit objections, a sum of Rs.1,58,829/- has been recovered from the petitioner's pension. The petitioner has given a representation on 16.03.2023, to refund the said amount on the ground that erroneously such a recovery has been made. However, so far no orders have been passed by the third respondent.



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3. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

4. Considering the above said facts, the third respondent is directed to consider the representation of the petitioner dated 16.03.2023 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

06.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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