



W.P.(MD)No.23675 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.23675 of 2018

and

W.M.P.(MD)Nos.21452 & 21453 of 2018

S.Palanichamy

...Petitioner

-Vs-

1.The General Manager,
O/o. the General Manager – BSNL Office,
Vannarpettai,
Tirunelveli - 627 003.

2.The Account Officer (Drawal),
O/o. the General Manager - BSNL Office,
Vannarpettai,
Tirunelveli - 627 003.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to set aside the impugned order issued by the second respondent in No.Ao(D)/Court/2015-19/141 dated 14.11.2018 and quash the same and direct respondents to settle the petitioner's complete terminal benefits including his gratuity without any deduction for attachment.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.D.Shanmugaraja Sethupathi



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ORDER

This writ petition has been filed challenging the order passed by the second respondent, dated 14.11.2018.

2.It is seen that the petitioner has suffered by a civil Court decree in O.S.No.263 of 2014 on the file of the Principal Sub Court, Tenkasi. In pursuant to the said decree, the trial Court has ordered to attach the salary of the petitioner, who was working as Telecom Technician in the second respondent office.

3.In pursuant to the order of attachment, the second respondent is being the employer passed a garnishee order, thereby ordered to recover a sum of Rs.15,660/- per month for a period of nine years and the remaining 15 months will be remitted in one lump sum. Accordingly, the salary has been deducted for a period of 9 months and thereafter, the petitioner has retired from service on 30.11.2018. The remaining amount was also recovered from the terminal benefits of the petitioner.



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4. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent. Accordingly this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

27.11.2024

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

To

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O/o. the General Manager – BSNL Office,
Vannarpettai,
Tirunelveli – 627 003.

2. The Account Officer (Drawal),
O/o. the General Manager – BSNL Office,
Vannarpettai,
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G.K.ILANTHIRAIYAN. J,

RJR

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