



W.P.(MD).No.27349 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27349 of 2024

and

W.M.P.(MD).No.23150 of 2024

A.Poongothai

... Petitioner

-VS-

1.The Government of TamilNadu,
represented by its Secretary,
Finance Department,
Fort St. George,
Chennai-600 009.

2. The Director of Town Panchayats,
No.5, Santhome High Road, Pattinapakkam,
MRC Nagar, Raja Annamalaipuram,
Chennai-600 004.

3. The Assistant Director-II,
Local Fund Audit,
Pudukottai,
Pudukottai District.

4. The Executive Officer,
Keeramangalam Town Panchayat,
Alangudi Taluk,
Pudukottai District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the impugned para 35 of audit objections in letter Na.Ka.No.242/A1/2024, dated 31.05.2024 issued by the third respondent for recovery of Rs.1,27,326/- (One Lakh Twenty Seven Thousand Three Hundred and Twenty Six only) and quash the same and consequently direct the respondents to grant the petitioner's retirement benefits i.e., Earned Leave (240 days), Un-earned Leave (180) days, Special Provident Fund and Contributory Pension etc., on the basis of pay fixation done as per G.O.Ms.No.340, Finance Department, dated 26.08.2010 together with interest at the rate of 24% p.a. From 01.05.2024 till the date of realization.

For Petitioner	: Mr.M.Saravanakumar
For Respondent No.1	: Mr.S.Shaji Bino Special Government Pleader
For Respondent Nos.2 & 3	: Mr.A.Baskaran, Additional Government Pleader
For Respondent No.4	: Mr.Om Prakash, Government Advocate

ORDER

The instant writ petition has been filed by a former Junior Assistant working in the Keeramangalam Town Panchayat seeking to quash a communication from the Local Fund Audit Department to the Executive Officer of Keeramangalam Town Panchayat, wherein, order of recovery has been passed as against the writ petitioner.

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2. A perusal of the said impugned order dated 31.05.2024 reveals that it is a communication from the Local Fund Audit Department to the Executive Officer. No consequential orders have been passed by the Executive Officer of the concerned Town Panchayat.

3. In such circumstances, this Court does not find any reason or any cause of action for the writ petitioner to file the present writ petition. In case, if any orders are passed by the concerned Executive Officer, the petitioner is at liberty to approach this Court.

4. With the above said observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2024

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



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R.VIJAYAKUMAR,J.

gvn

To

1.The Secretary,
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Chennai-600 009.

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