



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.4984 of 2025

R.N.Chandrasekar

.. petitioner

vs

The Arbitrator / Assistant Director
of Handlooms & Textiles
No.14/2, Bharathi Park,
2nd Cross street,
Saibaba Colony,
Coimbatore – 641 011.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 10.09.2024 within stipulated time fixed by this Court.

For Petitioner : Mr.B.Gopalakrishnan
For Respondent : Mr.M.R.Dhalapathy Vignesh Kumar

ORDER



This writ petition has been filed to direct the respondent to consider the petitioner's representation dated 10.09.2024 within stipulated time fixed by this Court.

2. The learned counsel for the petitioner submitted that already the petitioner had paid the entire amount of Rs.27,22,781.20 which was misappropriated by him while he was serving as President in Handloom waiver society. The learned counsel would further submit that he has given representation dated 10.09.2024 to the respondent, since he was bed ridden and requested to waive the interest as per order in Case No.1 of 2000. The learned counsel on the earlier occasion based on instructions submitted that the petitioner is willing to pay the interest at 12.5%p.a as stipulated in the impugned order for the period from 11.03.2019 to 21.07.2022, which come to Rs.10,21,000/-.

3. Per contra, the learned counsel appearing for the respondent submitted based on the written instructions vide Tha.Va.No.1 of 2000 dated 11.03.2025, stated that the interest at 12.5% for the paid amount of Rs.27,22,787.20 comes to Rs.8,45,260/- and not Rs.10,21,000/- as stated by the petitioner.



4. In response, the learned counsel for the petitioner submitted that the petitioner is ready to pay the interest amount of Rs.8,45,260/- as calculated by the respondent, in ten equal monthly instalments.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

6. As per the written instruction of the respondent, the interest calculated at 12.5% is Rs.8,45,260/- has to be paid by the petitioner. In view of the statement made by the learned counsel for the petitioner, that the petitioner is ready to pay the said interest amount in 10 equal instalments. This Court is inclined to grant permission to the petitioner to pay the interest amount of Rs.8,45,260/- in ten equal instalments, taking into consideration the fact that the petitioner is bed ridden and not having good health condition. The petitioner is directed to pay the above said amount in ten equal monthly instalments commencing from May 2025, each instalment has to be paid on or before 10th of every English Calendar month. If the petitioner default in payment of the instalments, the respondent is at liberty to take further action in the manner known to law.



7. With the above direction and observations, this writ petition is

disposed of. No costs.

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13.03.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The Arbitrator / Assistant Director
of Handlooms & Textiles
No.14/2, Bharathi Park,
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J. SATHYA NARAYANA PRASAD, J.

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