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W.P.No.38771 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.38771 of 2024

P.Kannan Kumar

.. **Petitioner**

Vs.

1.The Principal Secretary to Government
Transport Department
Secretariat, Fort St.George
Chennai – 9.

2.The Managing Director
Tamil Nadu State Transport Corporation Ltd.,
No.12, Ramakrishna Road
Salem – 7.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to sanction and disburse the legal fees due to the petitioner for the services rendered as Standing Counsel to the respondents Transport Corporation in the High Court of Judicature at Madras along with interest @ 12 % p.a. From the date of the claim till the date of realization within a reasonable time.



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For the Petitioner : Mr.L.Chandrakumar

For the Respondents : Mr.S.Senthil Murugan
Special Government Pleader
for R1
Mr.M.Aswin for R2

ORDER

Upon perusing the affidavit filed in support of the Writ Petition and hearing *Mr.L.Chandrakumar*, the learned counsel for the petitioner; *Mr.Aswin*, the learned counsel for the respondent – Corporation, it can be seen that the petitioner was the Standing Counsel in respect of different Transport Corporations. The petitioner's claim amounts are long due and hence he is before this Court.

2. It can be seen that in some Corporation, some of the amounts have been settled and some of the amounts are kept pending, whereas in some Corporation, the entire amount was kept pending.

3. The learned counsel appearing on behalf of the respondent – Corporation would submit that the petitioner is required to submit the proof of

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the bill, order copy and such other proof as is being paid for.

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4. After availing the services of the petitioner and keeping the matter pending for a long time, the Corporation cannot now dictate the terms. Where claims are made, they should promptly disburse the amount. In cases where the original bills submitted by the petitioner are not in their possession, the petitioner may also provide a copy of the order downloaded from the website or the e-Court proceedings evidencing his appearance. The Corporation shall consider these documents and disburse the amount accordingly.

5. In view thereof, this Writ Petition is disposed of on the following terms,

(i) Wherever the bills are already submitted, the respective Corporation shall forthwith process the same and make the payment within a period of eight weeks from the date of receipt / production of the website uploaded copy of this order, without insisting for the certified copy;

(ii) With reference to the case number or the bill number, where the Corporation pleads that they don't have records, by a letter in writing they can



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intimate the same to the petitioner to produce such proof;

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(iii) The said exercise shall be completed within a period of eight weeks from the date of receipt / production of the web copy of the order;

(iv) Upon receipt of the said communication, the petitioner can produce any one of the following proofs, viz., the photocopy of the original bill along with the annexure submitted by him or if the petitioner does not have the same, presently the orders of the Court are uploaded in the website and the said order copies can be submitted, evidencing the appearance of the petitioner. The above said any one of the proof shall be furnished by the petitioner and the bill can be processed and settled within a period of eight weeks therefrom;

(v) No costs.

07.04.2025

Neutral Citation : No

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To

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D.BHARATHA CHAKRAVARTHY, J.

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