



WP(MD)No.6247 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.6247 of 2023

P.Thirugnanam

...Petitioner

Vs

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Agriculture Department,
Secretariat, Chennai – 600 009.

2.The Joint Director of Agriculture,
Tallakulam, Madurai – 625 002.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st and 2nd respondents i.e., the Agricultural Production Commissioner and Principal Secretary to Government, Agriculture Department, Chennai and the Joint Director of Agriculture, Madurai to refund the sum of Rs.40,200/- to the petitioner, which has already been paid by the company namely Venkateswara Company, Madurai towards Income Tax even on 31.03.2021, within a specified time frame that may fixed by this Court.



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For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader

ORDER

The petitioner has worked as an Assistant Director of Agriculture and on attaining the age of superannuation he retired from service on 1.07.2016. While so on 29.11.2017 an audit objection was received by the 2nd respondent that a company by name Venkateswara Enterprises, Madurai has failed to pay income tax to the tune of Rs.40,200/- for the supply of power tiller, roatavator to the agriculture department. Therefore the petitioner was made responsible for the loss of Rs.40,200/- based on the audit objection raised in paragraph No.18(e), dated 29.11.2017.

2.The petitioner by referring to the subsequent proceedings of the Assistant Director dated 07.02.2022 submits that Venkateswara Enterprises has already paid the amount, however a sum of Rs.59,136/- has been deducted from the petitioner's DCRG benefit citing non payment of income tax by the said company and also for other loss. Therefore, the petitioner based on the proceedings dated 07.12.2022 has



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filed this writ petition seeking for a direction to the respondents to refund a sum of Rs.40,200/- which was wrongly deducted from the petitioner's DCRG. The petitioner has also enclosed the proceeding dated 07.02.2022 recommending removal of the audit objection.

3.It appears that the petitioner has filed this writ petition without even submitting any representation to the authority concerned. Therefore, this writ petition is disposed of with a direction to the petitioner to submit a representation to the respondents enclosing the proceedings dated 07.02.2022 within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider it and refund the amount, if any, deducted wrongfully from the petitioner, despite the proceedings dated 07.02.2022, within a period of twelve weeks therefrom. No costs. Consequently connected miscellaneous petition is closed.

03.12.2025

DSK



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