



W.P.(MD)No.22028 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22028 of 2025

and

W.M.P.(MD) No.17129 of 2025

Eeda John Bosco

: Petitioner

Vs.

1. The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.
2. The Assistant Commissioner (Accounts),
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.
3. The Deputy Director of Local Fund Audit,
Thoothukudi City Municipal Corporation Campus,
Thoothukudi,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No. 000595/2021/Sil/May.Ma, dt. 31.03.2021 on the file of the respondent no.1 and the consequential Impugned order in Na.Ka.No.P5/3031/2021, dt. 19.11.2024 on the file of the respondent no.2 and quash the same as



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illegal to the extent of recovery proceedings and consequently to direct the respondents to refund the recovered amount of Rs.4,88,197/- with interest to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.N.Anandhakumar (R1 & R2)

Mr.K.Balasubramanian (R3)

Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the first respondent in Na.Ka.No. 000595/2021/Sil/May.Ma, dated 31.03.2021 and the consequential impugned order passed by the second respondent in Na.Ka.No.P5/3031/2021, dated 19.11.2024 and also seeking to quash the said orders in respect of recovery proceedings and to direct the respondents to refund the recovered amount of Rs.4,88,197/- with interest to the petitioner within the time stipulated by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that this Court, by its order dated 12.08.2025, directed the respondents to pay Rs.3,65,871/- to the petitioner. However, the petitioner was paid with a sum of Rs.4,88,197/-, yesterday, ie., on 19.08.2025 and hence, the matter has become infructuous.

4. In view of the aforesaid payment made and since the prayer itself is to quash the impugned proceedings in respect of recovery proceedings and also to refund the said amount to the petitioner and the said prayer has now been achieved, the prayer sought for in this writ petition has become infructuous and accordingly, this writ petition is dismissed as infructuous. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.08.2025

Index : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

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To:-

1. The Deputy Director of Local Fund Audit,
Thoothukudi City Municipal Corporation Campus,
Thoothukudi,
Thoothukudi District.

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