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W.P.(MD) No.27348 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.27348 of 2022

M.Marceline Arulraj

... Petitioner

-VS-

1.The Director

Directorate of Adi Dravidar &
Tribal Welfare
Chepauk, Chennai

2.The District Adi Dravidar Welfare Officer
Nagercoil, Kanyakumari District

3.The Special Officer

Government Adi Dravidar Welfare Office
Nagercoil, Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 herein to disburse the wrongly recovered amount of Rs.5754/-, which has been already recovered from the petitioner's salary from June 2007 to November 2007 (viz..Rs.959/-



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for 6 months) to the petitioner and consequently pay the interest at the rate of 12% per annum compounded annually for the delay in payment of DCRG from 31.05.2016 to 12.11.2018 (30 months) to the petitioner within a stipulated time as fixed by this court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to disburse the wrongly recovered amount of Rs.5,754/-, which, according to the petitioner, was wrongly recovered from his salary from June 2007 to November 2007 (namely, Rs.959/- for six months) and consequently, to direct the respondents to pay interest at the rate of 12% per annum compounded annually for the delay in payment of DCRG from 31.05.2016 to 12.11.2018 (30 months) to him, within a time frame to be fixed by this Court.



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2. The grievance of the petitioner in this writ petition is that a sum of Rs.5,754/- was wrongly recovered from him from and out of his salary during the above mentioned period. The petitioner also claims that his DCRG amount was paid belatedly by the respondents i.e., with a delay of two years and nine months.

3. A counter has been filed by the respondents denying the contentions of the petitioner. They would contend that due to the pendency of the writ petition and writ appeal before this Court, there was some delay in disbursement of the DCRG amount to the petitioner. They have also denied that a sum of Rs.5,754/- was wrongly recovered from the petitioner from and out of his salary from June, 2007 to November, 2007 (namely, Rs.959/- for a period of six months).

4. It is an admitted fact that this writ petition has been filed only after a lapse of little less than four years from the date when the petitioner received the DCRG amount from the respondents i.e., on 05.12.2018. The petitioner prior to the filing of this writ petition had only given representations to the respondents after receiving the DCRG amount from 2018 onwards. The



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petitioner, if really, interested in recovering the interest amount as well as the sum of Rs.5,754/-, which, he claims, was wrongly recovered from him by the respondents, ought to have been vigilant by filing a writ petition, within a reasonable period. Even though limitation cannot be a ground for dismissing a writ petition, but for redressal of any grievance, a party must approach this Court within a reasonable time. For filing a suit, three years limitation period is prescribed. Even though the said limitation period is not applicable for this Court exercising powers under Article 226 of the Constitution of India, as observed earlier, the petitioner ought to have approached this Court within a reasonable period. The petitioner had only given representations from 2018 onwards, even though the said representations were not answered positively by the respondents and were infact denied by the respondents. The petitioner has waited for almost four long years for filing this writ petition from the date when the cause of action arose. The respondents have also categorically denied, through their counter, that they are liable to pay interest as claimed by the petitioner in this writ petition. The respondents have also denied that they had wrongfully deducted amounts from the petitioner's salary amounting to Rs.5,754/- for the period from June, 2007 to November, 2007 (namely Rs.959/- for six months). When the respondents have disputed the



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contentions of the petitioner and when the petitioner has approached this Court belatedly, this Court is of the considered view that there is no merit in this writ petition and the same is also liable to be rejected on the ground of laches.

5. In the result, this writ petition is dismissed. No costs.

24.11.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Director,
Directorate of Adi Dravidar &
Tribal Welfare,
Chepauk, Chennai.
- 2.The District Adi Dravidar Welfare Officer,
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- 3.The Special Officer,
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ABDUL QUDDHOSE, J.

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