

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.16461 of 2015

T.Ramesh

... Petitioner

vs.

The Assistant Director,
Office of the Assistant Director
Animal Intelligence Unit
Vellore - 632 0014.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the respondent to pay to the petitioner his salary for the duty period 01.03.2015 to 05.03.2015 and the Subsistence Allowance from 06.03.2015 as well as to hand over his Postal RD passbook kept in the custody of the respondent on the basis of his representations dated 20.04.2015 and 30.04.2015.

For Petitioner : Mr.S.Sathia Chandran

For Respondent : Mr.V.Jayaprakash Narayanan
Spl.Govt.Pleader

O R D E R

सत्यमेव जयते

The petitioner joined as a Veterinary Assistant in Animal Husbandry Department on 26.05.2008. He worked upto 05.03.2015. He was placed under suspension with effect from 06.03.2015. According to him, he was not paid salary from 01.03.2015 to 05.03.2015 and subsistence allowance from 06.03.2015 onwards till date. Hence, the present writ petition.

2. It is well settled that subsistence allowance cannot be denied to the Government Servant during the period of suspension, otherwise, it amounts to deprivation of livelihood and the same is violative of Article 21 of the Constitution.

3. In these circumstances, the writ petition is disposed of by directing the respondent to pay salary from 01.03.2015 to 05.03.2015 and further directed to pay subsistence allowance on or

before 10th day of every month commencing from the month of July 2015 till the completion of enquiry. The arrears of subsistence allowance upto 30.06.2015, if not already paid, shall be paid within a period of four weeks. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

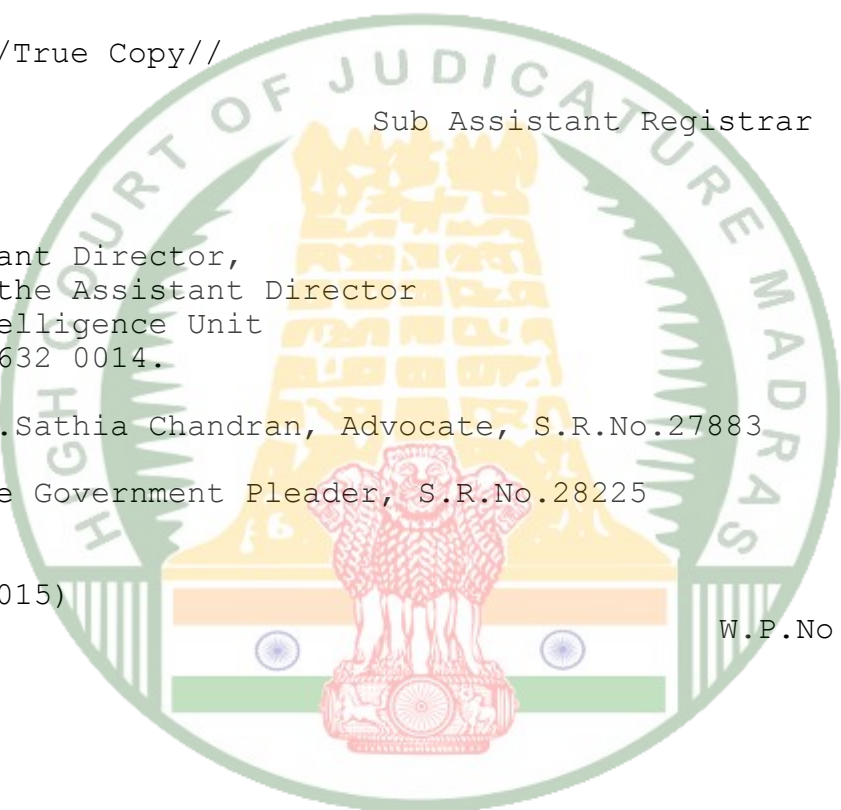
The Assistant Director,
Office of the Assistant Director
Animal Intelligence Unit
Vellore - 632 0014.

+1cc to Mr.Sathia Chandran, Advocate, S.R.No.27883

+1cc to the Government Pleader, S.R.No.28225

LRs (CO)
EU(19/06/2015)

W.P.No.16461 of 2015



सत्यमेव जयते

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