

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2016

CORAM

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P.No.17850 of 2016

C.Kuppusamy

... Petitioner

Vs.

The Engineer-in-Chief (Buildings)
and Chief Engineer,
Chennai Regional,
Public Works Department,
Chepauk, Chennai 600 005.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India to India for the issuance of a Writ of Mandamus, directing the respondent to pay the arrears of subsistence allowance tuning to a sum of Rs.1,17,805/- since 26.10.2015 till 30.04.2016 and the future subsistence allowance of 100% of the salary till his reinstatement of his service by considering the petitioner's representations dated 03.02.2016 and 30.04.2016.

For Petitioner : M/s.Surya for M/s. K.Munuswamy

For Respondent : Mr.R.Vijayakumar,
Additional Government Pleader

O R D E R

The Writ Petition has been filed to issue a Writ of Mandamus, directing the respondent to pay the arrears of subsistence allowance tuning to a sum of Rs.1,17,805/- since 26.10.2015 till 30.04.2016 and the future subsistence allowance of 100% of the salary till his reinstatement of his service by considering the petitioner's representations dated 03.02.2016 and 30.04.2016.

2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. The petitioner was working as Assistant Engineer (Electrical) and had put in 27 years of service. Subsequently, he was placed under suspension on 14.05.2015. Though the petitioner made several attempts for revocation of his suspension, he could not succeed. By order dated 18.04.2016, the respondent rejected the request of revocation. It is the petitioner's further case that since he was placed under suspension for a year, he is entitled for 100% subsistence allowance. In this regard, he has also made a representations to the respondent on 03.02.2016 and on 30.04.2016. Since no fruitful results were forthcoming on the representations, the petitioner is before this Court with this Writ Petition.

4. Considering the limited scope of the prayer sought for, without going into the merits of the matter, this Court directs the respondent to consider the representations of the petitioner dated 03.02.2016 & 30.04.2016 and pass appropriate orders on the same, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this Order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The Engineer-in-Chief (Buildings)
and Chief Engineer,
Chennai Regional,
Public Works Department,
Chepauk, Chennai 600 005.

+1cc to Mr.K.Munuswamy, Advocate sr.28317

W.P.No.17850 of 2016

ev(CO)
srg(23/05/2016)