

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.24090 of 2016 and W.M.P.No.20618 of 2016
and
W.P.No.24171 of 2016 and W.M.P.No.20680 of 2016

P.Jeevanandam ... Petitioner in both the
writ petitions

-vs-

The Principal,
M.G.R.Government Film & Television Institute,
4th Cross Street, Taramani,
Chennai-600 113. ... Respondents in both the
writ petitions

W.P.No.24090 of 2016 filed under Article 226 of the
Constitution of India, for issuance of a writ of Certiorarified
Mandamus to call for the records of the respondent in
Na.Ka.No.4070/E1/2014 dated 05.05.2015 and quash the entire
proceedings and also direct the respondent to reinstate the
petitioner with all attendant benefits.

W.P.No.24171 of 2016 filed under Article 226 of the
Constitution of India, for issuance of a Writ of Mandamus
directing the respondent to pay subsistence allowance to the
petitioner till the departmental proceedings initiated vide
S.Mu.A.N.4070/E2/2014 dated 06.01.2015 is concluded.

For Petitioner :: Mr.S.M.Muralidharan

For Respondents:: Mrs.M.E.Rani Selvam,
Additional Government Pleader

ORDER

The petitioner is working as Laboratory Attendant from
04.04.2008 under the respondent, and his service was also
regularised. By the impugned order dated 06.01.2015, the
petitioner was placed under suspension, but only charges have
been framed and no Enquiry Officer was appointed and no further
progress has taken place. He was paid subsistence allowance only
upto April 2015 and thereafter, it was also not paid.
Challenging the suspension order, W.P.No.24090 of 2016 has been
filed. W.P.No.24171 of 2016 has been filed for a mandamus to pay
subsistence allowance to the petitioner.

2.The learned counsel for the petitioner has submitted that the petitioner has made many representations to the respondent, the last one being dated 07.06.2016, for revocation of suspension, and the same may be directed to be considered by the respondent. He further submitted that subsistence allowance which was paid only upto April 2015 to the petitioner, may be directed to be paid to the petitioner from May 2015 onwards.

3.The learned Additional Government Pleader appearing for the respondent would submit that the respondent is taking steps to conduct enquiry and with regard to subsistence allowance, he submitted that the same would be paid to the petitioner in accordance with law.

4.Heard the learned counsel on either side and perused the materials available on record.

5.Taking into consideration the fact that the petitioner has been kept under suspended animation from 06.01.2015 without any Enquiry Officer being appointed, the respondent is directed to consider the representation of the petitioner dated 07.06.2016 which was made for revocation of suspension, and pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. As far as the subsistence allowance is concerned, which is due from May 2015, the same shall be paid forthwith, to the petitioner. Further, the subsistence allowance in respect of future months, shall be paid on or before 10th of every succeeding month.

6.The writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To
The Principal,
M.G.R.Government Film & Television Institute,
4th Cross Street, Taramani, Chennai-600 113.

+2 cc's to Mr.S.M.Muralidharan, advocate, sr.43396, 43395

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W.M.P.No.20618 of 2016
and

W.P.No.24171 of 2016 and
W.M.P.No.20680 of 2016