



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.2045 of 2016
and
W.M.P (MD) No.1768 of 2016

T.Thiruselvan

... Petitioner

Vs.

1.The Joint Director of School Education
(Personnel),
Directorate of School Education,
DPI Complex, College Road, Chennai 06.

2.The Chief Educational Officer,
Virudhunagar District, Virudhunagar.

3.The District Educational officer,
Virudhunagar District, Virudhunagar.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay the arrears of subsistence allowance for the period from 20.09.2014 to 30.06.2015 and pay subsistence allowance at 75% for the period from 20.03.2015 onwards with consequential arrears to the petitioner in the post of B.T. Assistant in English.

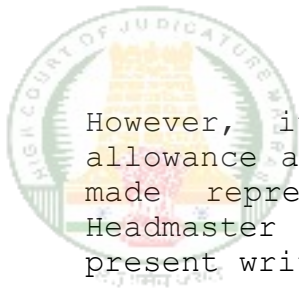
For Petitioner	: Mr.N.Dilipkumar
For Respondents	: Mr.T.S.Mohammed Mohideen, Additional Government Pleader.

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus to direct the respondents to pay the arrears of subsistence allowance for the period from 20.09.2014 to 30.06.2015 and pay subsistence allowance at 75% for the period from 20.03.2015 onwards with consequential arrears to the petitioner in the post of B.T. Assistant in English.

2.Heard the learned counsel for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader who takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3.The claim of the petitioner is that the subsistence allowance at the rate of 50% has been paid to him from the date of his suspension.



However, it is stated that he is entitled to receive subsistence allowance at rate of 75% from 20.03.2015. Therefore, the petitioner has made representation to the respondents on 23.09.2015 through the Headmaster of the school. Since no order has been passed so far, the present writ petition has been filed.

WEB COPY 4. Without going into the merits of the petitioner's claim, the respondents are directed to consider the representation of the petitioner dated 23.09.2015 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P. (MD) No. 1768 of 2016 is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

sms

To

1. The Joint Director of School Education
(Personnel),
Directorate of School Education,
DPI Complex, College Road, Chennai 06.

2. The Chief Educational Officer,
Virudhunagar District, Virudhunagar.

3. The District Educational officer,
Virudhunagar District, Virudhunagar.

+1CC to Mr. N. Dilipkumar Advocate Sr. No. 6281

GJM/PM/MP/10.2.16-2p-5c

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