



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) Nos.6311 and 6312 of 2016
and

W.M.P (MD) Nos.5523 and 5544 of 2016

S.Ambethkar

... Petitioner in W.P (MD) No.6311 of 2016

M.Raj

... Petitioner in W.P (MD) No.6312 of 2016

Vs.

The Commissioner,
Sankarankoil Municipality,
Sankarankoil 627756,
Tirunelveli District.

... Respondent in both W.Ps.

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, refraining the respondent from proceeding with the departmental enquiry pursuant notice issued by him in Na.ka.No.1519/2015/C1 dated 18.3.2016 without first disbursing the subsistence allowance to the petitioner which is legally due and payable to the petitioner.

For Petitioners

: Mr.N.Balamuralikrishnan

For Respondent

: Mr.P.Mahendran

ORDER

The petitioners have come up with the above writ petitions seeking for the issue of a writ of mandamus, to refrain the respondent from proceeding with the departmental enquiry pursuant notice issued by him in Na.ka.No.1519/2015/C1 dated 18.3.2016 without disbursing the subsistence allowance to the petitioners which is legally due and payable to the petitioners.

2.When the matter came up for hearing, it is submitted by the learned counsel for the respondent that the subsistence allowance has been paid to the petitioners from the date of their suspension upto 09.04.2016. It is submitted by the learned counsel for the petitioners that no employment certificate has been sent to the authorities.

3.In view of the above, there is no impediment for the authorities to proceed with the enquiry pursuant to the notice dated 18.03.2016.

4.The writ petitions are disposed of accordingly. No costs.
W.M.P (MD) Nos.5523 and 5544 of 2016 are closed.

Sd/-

Assistant Registrar

/True copy/



To
The Commissioner,
Sankarankoil Municipality,
Sankarankoil 627756,
Tirunelveli District.

WEB COPY +2 CC to M/s.V.KARTHIKEYAN, Advocate, SR No.20764

Writ Petition (MD) Nos.6311 and 6312 of 2016
and
W.M.P (MD) Nos.5523 and 5544 of 2016

sms
SH/GSV-PM:25.04.2016:2P/4C