

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.8584 of 2017 and

W.M.P. No.9405 of 2017

M.Selvaraj

.. Petitioner

-vs-

1.The Deputy Registrar of
Co-operative Societies,
Dharapuram Circle,
Katchery Road,
Dharapuram-638 656,
Tiruppur District.

2.No.K.802, Ragalbavi Primary Agricultural
Co-operative Credit Society Ltd.,
rep. by its President,
S.K.Palayam Udumalpet 642 132
Tiruppur District

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for entire records relating to the impugned order dated 06.03.2017 passed by the second respondent and quash the same and consequently direct the respondents to pay the last drawn salary as the subsistence allowance for the period of suspension of service of petitioner with effect from 24.03.2016.

For Petitioner : Mr.R.Krishnamoorthy

For Respondents: Mr.T.Girija,
Government Advocate

O R D E R

This writ petition has been filed by the petitioner challenging the impugned order dated 06.03.2017 passed by the second respondent and seeking a direction to the respondents to pay the last drawn salary as the subsistence allowance for the period of suspension of service with effect from 24.03.2016.

2.Learned Government Advocate would submit that the petitioner was paid with the subsistence allowance at the rate of 50% of salary that shows the respondents have followed the rule which prescribes that on placing of an employee under suspension, he should be paid with 50% of the salary. Therefore, the petitioner cannot come to this Court seeking the above said direction to the respondents.

3.Accordingly, this petition is dismissed. No costs. Consequently, connected W.M.P. is closed.

4.The respondents are directed to follow Rule 31(2) of the Tamil Nadu Payment of Subsistence Allowance Act, 1981 in respect of payment of subsistence allowance.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1. The Deputy Registrar of
Co-operative Societies,
Dharapuram Circle,
Katchery Road, Dharapuram-638 656,
Tiruppur District.

2. The President,
No.K.802, Ragalbavi Primary Agricultural
Co-operative Credit Society Ltd.,
S.K.Palayam Udumalpet 642 132
Tiruppur District

+ 1 cc to Mr.R.Krishnamoorthy, Advocate Sr.No.22514

+ 1 cc to The Government Pleader Sr.No.22696

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RJ(CO)

RRI 20/04/2017