

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.12.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27953 of 2015
and
M.P.No.1 of 2015

K.Rajagopal

..Petitioner

vs

- 1.The Director of Town Panchayat,
Kuralagam,
Chennai - 600 108.
- 2.The Commissioner,
Vellore City Municipal Corporation,
Vellore - 632 001.
- 3.The Assistant Director of Town Panchayat,
Vellore Circle,
Vellore - 632 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the dearness allowance as per G.O.105, Finance dated 28.04.2014 from 01.07.2009 till date and even thereafter continuously with 12% interest per annum and cost.

For Petitioner : Mr.R.Singaravelan, Senior Counsel
for M/s.M.Srividhya
For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

The only grievance contended by the petitioner is that the dearness allowance as applicable, has not been paid, while sanctioning the subsistence allowance.

2.The learned senior counsel made a submission that the dearness allowance as applicable ought to have been paid along with the subsistence allowance,when the writ petitioner was under suspension. Though the respondents have settled the subsistence allowance, failed to consider the payment of dearness allowance as applicable in this regard. The writ petitioner submitted a representation to the respondents on 18.11.2014 and the same is yet to be considered.

3.Thus, without going into the merits of the matter, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 18.11.2014 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the Government orders along with the orders passed in this writ petition.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The Director of Town Panchayat,
Kuralagam,
Chennai - 600 108.

2.The Commissioner,
Vellore City Municipal Corporation,
Vellore - 632 001.

3.The Assistant Director of Town Panchayat,
Vellore Circle,
Vellore - 632 009.

+1 CC to Ms.M. Srividhya, Advocate sr 92399.
+1 CC to Govt. Pleader sr 92133.

W.P.No.27953 of 2015

SP(19/01/2018)