



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.1975 of 2017

G.Antonymsamy

... Petitioner

Vs.

The Assistant Director of Survey and Land Records,
Office of the District Land Survey,
Madurai District,
Madurai.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondent to pay 75% of the last drawn salary as Subsistence Allowance to the Petitioner from 09.08.2015, along with arrears .

For Petitioner : M/s.R.Pandimaharaja

For Respondent : Mr.A.K.Baskarapandian,
Special Govt.Pleader

O R D E R

This Writ Petition has been filed, seeking for a direction to the respondent to pay 75% of the last drawn salary as Subsistence Allowance to the Petitioner from 09.08.2015, along with arrears .

2.Heard the learned counsel on either side and perused the materials placed before this Court.

3.The Petitioner is admittedly under suspension for more than six months and that in terms of Rule 53 of the Fundamental Rules, the Petitioner is entitled to get subsistence allowance at 75% of his last drawn pay. This issue has already been decided by this Court by order made in W.P.No.41305 of 2016, dated 24.11.2016.

4.In view of the above, the respondent is directed to pay the enhanced subsistence allowance at 75% of his last drawn salary to the Petitioner from the date it became due and arrears of such enhanced subsistence allowance **(*) upto february** to be paid within a period of eight weeks from the date of receipt of a copy of this order. **(**) It is needless to state that the subsistence allowance to be subsequent months shall be**



paid on every succeeding month either till the revocation of suspension or culmination of charges into punishment.

5. With the above direction, the Writ Petition is disposed of .
No costs.

Sd/-

Assistant Registrar(CS II)

/True Copy/

(*) (**) AMENDED AS PER ORDER OF THIS COURT

MADE IN WP(MD) No.1975 OF 2017,

DATED: 17/03/2017 BY S.V.N.J.,

Sd/-

Assistant Registrar(CS III)

TRUE COPY

Sub Assistant Registrar

To:

TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED ON 07/03/2017

The Assistant Director of Survey and Land Records,
Office of the District Land Survey,
Madurai District,
Madurai.

+1cc to Mr.R.Pandi Maharaja, Advocate SR.No.8285

+1cc to special Government Pleader sR.No.8080

Vsn

SM:SV-MMS:27.02.2017:2p/4c

MKV SV MMS/SAR LIB/20 3 2017

2P 4C

W.P. (MD) No.1975 of 2017
13.02.2017