



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2017

CORAM:

THE HONOURABLE **MR. JUSTICE T.S.SIVAGNANAM**

and

THE HONOURABLE **MR. JUSTICE P.VELMURUGAN**

Writ Appeal (MD).No.407 of 2013

and

M.P. (MD) .No.1 of 2013

The Commissioner,
Colachel Municipality,
Colachel,
Kanyakumari District.

... Appellant/Respondent

Vs.

T.Shanthi

... Respondent/Petitioner

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 11.01.2013 passed by this Court in W.P.(MD). No.10529 of 2011.

Prayer in WP(MD). 10529/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS, directing the Respondent to disburse the subsistence allowance in pursuance of the order of suspension dated 26-03-2009.

For Appellant : No appearance

J U D G M E N T

(Judgment of the Court was made by **T.S.SIVAGNANAM, J.**)

This writ appeal has been filed challenging the order dated 11.01.2013 passed in W.P.(MD).No.10529 of 2011, directing the appellant to pay subsistence allowance to the petitioner.

2. From the order, we find that notice has not been ordered in the appeal and at the request of the appellant, the matter was adjourned on 30.06.2013. After that, the matter was never listed nor the appellant take any steps to list the matter. We find that the



Court after taking note of the legal position that the suspended employee is entitled for subsistence allowance, allowed the writ petition. Therefore, there is no error in the order and the appeal fails and the writ appeal is dismissed. No costs.

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SD/-

ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

+1 CC TO MR.K.P.KRISHNHADOSS,ADVOCATE,SR NO.16907

akv

MAS/SV-MMS/SAR3:10.04.2017:2P-2C

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