

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.22447 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in suspending the petitioner without paying any allowance and initiating any proceedings, as illegal and arbitrary, and consequently to set aside the same and to direct the 1st respondent to pay full salary or in the alternative subsistence allowance as per the rules, without any deductions from 9.5.1997 till suspension is revoked.

2. Heard Ms. G. Sudha, learned Counsel for the petitioner and the learned Government Pleader for Co-operation.

3. It has been submitted by the learned Counsel for the petitioner that the petitioner was initially appointed as a cadre secretary by the 4th respondent-society to be posted at Primary Agricultural Co-operative Credit Societies monitored by the 4th respondent, and subsequently, the petitioner was transferred to the 1st respondent-society and while he was working there, the petitioner was placed under suspension from 9.5.1997 and during the said period, the respondents have not paid any subsistence allowance and in those circumstances, the petitioner filed the present writ petition seeking payment of subsistence allowance.

4. The learned Government Pleader for Co-operation submits that the petitioner was reinstated into service as secretary of the 1st respondent on 16.3.2001 and that the subsistence allowance was paid to him for the suspension period, and full salary is also being paid to him from the date of

his reinstatement and therefore, the allegation that the petitioner was not paid subsistence allowance, is not correct.

5. Heard the rival submissions made by the parties. It has been submitted by the learned Government Pleader in the counter that the suspension orders were revoked and the petitioner was reinstated into service on 16.3.2001 and full salary is being paid to the petitioner and the subsistence allowance was also paid to the petitioner for the period of his suspension. In view of the above submission, this Court is of the view that nothing survives for adjudication in this writ petition.

6. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

26th December, 2017
Nn

(ABHINAND KUMAR SHAVILI,J)



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