

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.09.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 25214 of 2018

Sudharsanam

...Petitioner

Vs.

1. The Principal Secretary to Government,
Public (N1(II)) Department,
Fort St. George, Chennai - 9.

2. The Deputy Secretary,
Public Establishment - II Department,
Fort St. George, Chennai - 9.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to fix, draw and disburse the subsistence allowance @ 75% p.m. For the period from 01.12.2017 to till date after deducting the subsistence allowance paid @ 50% p.m. from 01.12.2017 to 01.06.2018, based on the representations made by the petitioner dated 23.07.2018 and 04.09.2018 within a reasonable time.

For Petitioner : Mr. K.Venkatramani
Senior Counsel
for M/s.M.Muthappan

For Respondents : Mrs.R.Janaki
Additional Government Pleader

ORDER

Heard, Mr. K.Venkatramani, the learned Senior Counsel appearing for the petitioner and Mrs. R.Janaki, Additional Government Pleader who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this Writ Petition is that, though he is put under suspension, during the period of suspension, he is entitled to 75% of his salary as subsistence

allowance after six months of his suspension, but the same has not been released to him, inspite of repeated representations made in this regard. The last one of such representation is made on 04.09.2018. Hence, he has filed this Writ Petition seeking a direction to dispose of his representation in this regard, for release of subsistence allowance in the appropriate scale.

3. After hearing the counsel appearing for the parties and considering the nature of relief sought for by the petitioner, this Court disposes of this Writ Petition at the stage of admission without seeking reply affidavit, with a direction to the respondent concerned to take an informed and considered decision on the representation dated 04.09.2018 in accordance with law, if the same is still pending within a period of four weeks from the date of receipt of copy of this order, if there is no other legal impediment. It is made clear that this Court has expressed no opinion on the merit of such representations of the petitioner in any manner. However, in the circumstances of the case, there shall be no order as to costs.

mrm

Sd/-

Assistant Registrar (CS-VIII)

// True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Public (N1(II)) Department,
Fort St. George, Chennai - 9.

2. The Deputy Secretary,
Public Establishment - II Department,
Fort St. George, Chennai - 9.

+ 1 CC TO MR.M.MUTHAPPAN, ADVOCATE SR 66876

+ 1 CC TO THE GOVT. PLEADER, SR 66683

KR/11/10/18

Writ Petition No.25214 of 2018