

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31345 of 2018

S.Ramesh

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Petitioner

Vs

- 1.District Collector
District Collectorate, State Bank Road
Gopalapuram, Coimbatore - 641 018.
2. Director of Town Panchayats
Directorate of Town Panchayats
Kuralagam, Chennai 600 018.
- 3.Assistant Director of Town Panchayats
Coimbatore Zone, Coimbatore-641 018.
- 4.Executive Officer
Moppiripalayam Town Panchayat
Gandhi Kadai Street, Vagarayampalayam
Coimbatore - 641 659.
- 5.V.Murugesan, Enquiry Officer cum Erstwhile
Primary Executive Officer (Accounts)
O/o Assistant Director of Town Panchayats
Coimbatore Zone, Coimbatore 18.

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Respondents

For Petitioner : M/s.I.Jenkins William
For Respondents : Mr.K.RajendraPrasad,
Additional Govt.Pleader

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to take appropriate steps to grant the petitioner retrospective approval to have his headquarters to be shifted from Moppiripalayam to Palladam and consequently to issue appropriate orders to direct the second to fifth respondent to sanction and grant subsistence allowance to the petitioner with retrospective effect from 15.07.2014 till the pending of the aforesaid disciplinary proceedings by considering

the petitioner's representation dated 18.10.2018 within a time stipulated by this Court.

O R D E R

Petitioner, who was working as Junior Assistant in the fourth respondent Panchayat, was placed under suspension by an order dated 15.07.2014 invoking Rule 17(e) of the Tamil Nadu Civil Services (D&A) Rules on the ground that enquiry into grave charges against him is contemplated. The petitioner has earlier filed W.P.No.6670 of 2015 for directing the respondents to pay the subsistence allowance, which was allowed by an order dated 11.04.2016.

2. It is the claim of the petitioner that despite the order of this Court, the subsistence allowance was not paid to the petitioner on the ground that the petitioner has shifted his headquarters to Palladam ad as per the suspension order, the headquarters of the petitioner during the period of suspension shall be Moppiripalayam in Coimbatore District. Expressing his grievance of not receiving the subsistence allowance, the petitioner has sent representations on various dates to the respondents and the same has not been considered, the petitioner has filed the present writ petition.

2. Mr. A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondents.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. Considering the facts and circumstances, this writ petition is disposed of directing the respondents to consider the representations of the petitioner and pass orders thereon, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KST

To

1.The District Collector
District Collectorate, State Bank Road
Gopalapuram, Coimbatore - 641 018.

2. The Director of Town Panchayats
Directorate of Town Panchayats
Kuralagam, Chennai 600 018.

3.The Assistant Director of Town Panchayats
Coimbatore Zone, Coimbatore-641 018.

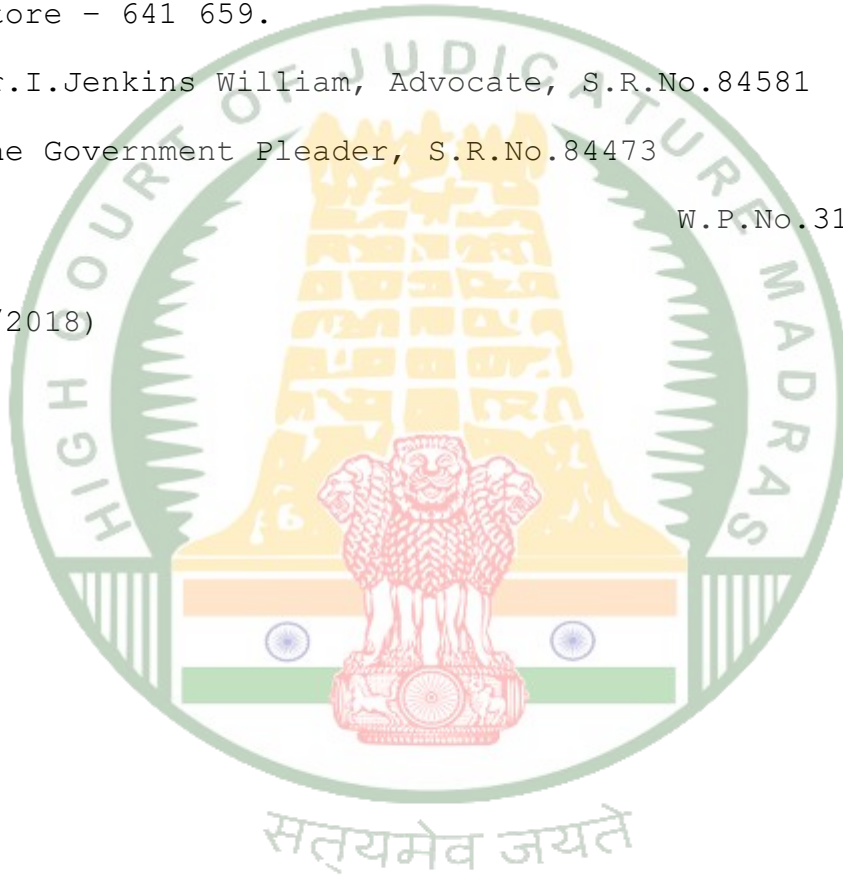
4.The Executive Officer
Moppiripalayam Town Panchayat
Gandhi Kadai Street, Vagarayampalayam
Coimbatore - 641 659.

+2cc to Mr.I.Jenkins William, Advocate, S.R.No.84581

+1cc to the Government Pleader, S.R.No.84473

W.P.No.31345 of 2018

SSI (CO)
GSP (31/12/2018)



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