

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24/10/2019

C O R A M

The Honourable Mr.Justice SUBRAMONIUM PRASAD

Writ Petition No.5959 of 2013

V. Veeramani

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Petitioner

Vs

1. The State of Tamil Nadu
rep. By its Secretary to Government
Public Works Department
Fort St. George
Chennai 600 009.
2. The Engineer-in-Chief (Buildings) &
Chief Engineer (General)
Public Works Department
Chepauk
Chennai 600 005.
3. The Executive Engineer/P.W.D
Buildings Construction Division
Town Hall
Coimbatore 641 001.
4. The Executive Engineer, P.W.D
Project Planning & Designs Division
District Treasury Building
Sampath Nagar
Erode 638 011.
5. The Executive Engineer, PWD
Thamizhaga Arasu Buildings Research
Station Division
Taramani
Chennai 600 113.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of certiorarified mandamus, to call for the records in Letter No.12026/B2/2011-1, dated 16/6/2011 on the file of the first respondent and quash the same as illegal and direct the respondents to refix the subsistence allowance to the petitioner as per VI Pay Commission.

For petitioner ... Mr.R.Sankarasubbu
For respondents ... Ms.K.Bhuvaneswari
Additional Government Pleader

O R D E R

Instant writ petition is for a writ of certiorarified mandamus to quash the order, dated 16/6/2011 in letter No.12026/B2/2011-1 and refix the subsistence allowance of the petitioner in the light of VI Pay Commission.

2. Petitioner while working as Assistant Executive Engineer, Public Works Department was placed under suspension, on 4/6/2005. Apart from departmental proceedings, he is also facing a criminal case, in Crime No.426 of 2005, on the file of the Inspector of Police, Ukkadam Police Station, under Sections 120 (b), 419, 420, 465, 467, 471 and 472 of the Indian Penal Code. Petitioner was given subsistence allowance, at the rate of 50% of his salary. Sixth Pay Commission was introduced on 1/1/2006. Under the Sixth Pay Commission, subsistence allowance was increased to 75%. But the same was rejected to the petitioner, by the impugned order, which is under challenge in the instant writ petition.

3. Joint Secretary to Government, Public Works Department, Secretariat, Chennai, has filed counter affidavit. In the counter affidavit, respondents have stated that subsistence allowance has been increased to 75%, in G.O.RT.19 Public Works Department (E2), dated 8/1/2007.

4. In view of the above, prayer sought for in the writ petition has been granted and hence nothing survives in this writ petition. Accordingly, writ petition is dismissed as infructuous. No costs.

Sd/-
सत्यमेव जयते
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mvs.
To

1. The Secretary to Government
State of Tamil Nadu
Public Works Department
Fort St. George
Chennai 600 009.

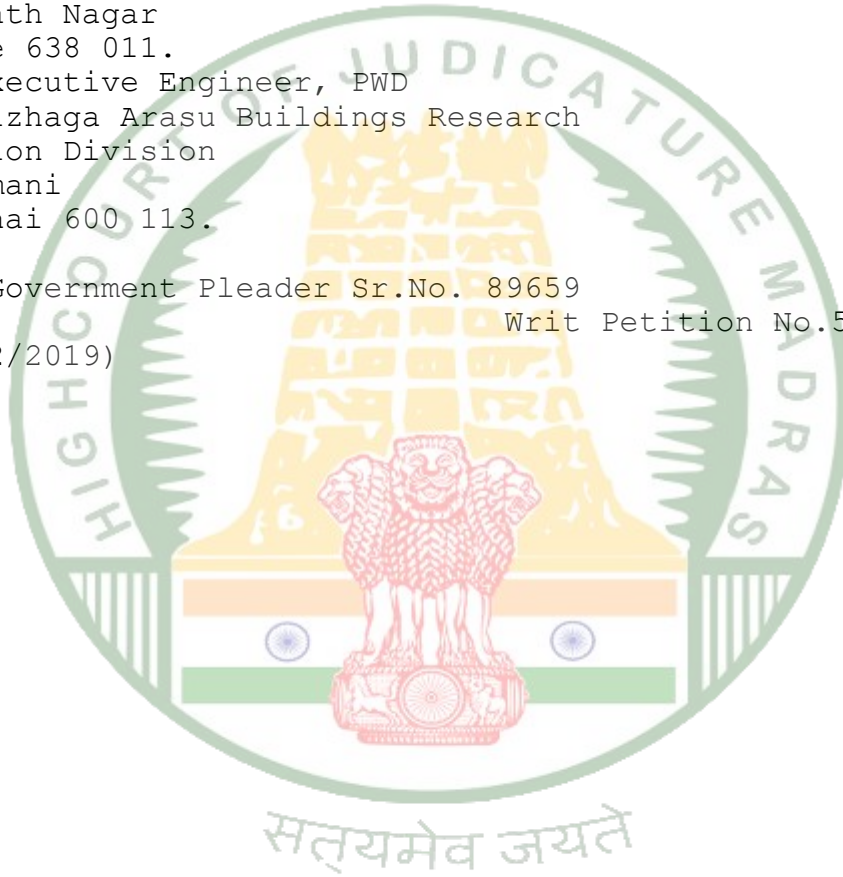
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+1 cc to Government Pleader Sr.No. 89659

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A.SK(13/12/2019)



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