



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.11573 of 2019

J.Samuel Jeberaj Vedamuthu

... Petitioner

Vs

1. The Secretary of Government,
Animal Husbandry and Fisheries Department,
St.George Fort, Chennai-9.

2. The Director of Animal Husbandry and
Veterinary Services,
Veterinary Hospital Campus,
Sydhapet, Chennai-35.

3. The General Accountant,
(Accounts and Entitlements),
361, Anna Salai, Thenambettai,
Chennai-600 018.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to provide Subsistence Allowance to the petitioner by considering his representation dated 25.04.2019 in the light of rule 53 (1) of the Fundamental Rules.

For Petitioner : Mr.C.M.Arumugam

For R1 & R2 : Mr.A.Muthukaruppan
Additional Government Pleader

For R3 : Mr.P.Gunaseelan Muthaiah

ORDER

Heard the learned counsel on either side. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner is employed as Veterinary Assistant Surgeon. He has been suspended by an order dated 29.05.2018. It is well settled that the Government Employee under suspension is entitled to payment of subsistence allowance. The writ petitioner's grievance is that his subsistence allowance has not been paid.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 would point out that the petitioner will have to fulfil certain formalities such as furnishing his Residential Certificate.



4. The petitioner's counsel submitted that the petitioner would fulfil the formalities that may be stipulated by the second respondent.

5. Therefore, the second respondent is directed to disburse the subsistence allowance payable to the petitioner forthwith and without any delay, upon fulfilling those formalities.

6. The Writ Petition is allowed accordingly. No costs.

Sd/-
Assistant Registrar(V.O)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1. The Secretary of Government,
Animal Husbandry and Fisheries Department,
St.George Fort, Chennai-9.

2. The Director of Animal Husbandry and
Veterinary Services,
Veterinary Hospital Campus,
Sydhapet, Chennai-35.

3. The General Accountant,
(Accounts and Entitlements),
361, Anna Salai, Thenambettai,
Chennai-600 018.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-65453[F] dated 09/05/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-65659[F] dated
09/05/2019)

+1 CC to SPL GP (SR-65765[F] dated 10/05/2019)

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CS: 28/05/2019/2P/7C