



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD) No.13020 of 2019

K.Periyasamy

... Petitioner

vs.

1.The Joint Director (Secondary),
Directorate of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Trichy.

3.The District Educational Officer,
Office of the District Educational Officer,
Trichy.

4.The Correspondent,
C.E.Higher Secondary School,
Vannarpet,
Puthur, Trichy - 17.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay subsistence allowance from 17/03/2016 date of suspension order after deducting the amount Rs.3,57,409/- paid to petitioner towards subsistence allowance in accordance with law.

For Petitioner : Mr.S.Malaikani
For R1 & R3 : Mr.Aayiram K.Selvakumar
Additional Government Pleader
For R4 : Mr.Ragatheeshkumar
for M/s.Isaac Chambers

O R D E R



suspension order, after deducting the amount Rs.3,57,409/- paid to the petitioner.

2.The learned counsel appearing for the petitioner submitted that the respondents have not paid the balance amount of subsistence allowance from the date of passing of the suspension order against the petitioner. Therefore, the petitioner has come before this Court seeking the aforementioned relief.

3.The learned Standing Counsel appearing for the fourth respondent, on instructions, submitted that the petitioner was not paid with the balance subsistence allowance and now, the respondent management agreed to pay the balance subsistence allowance to the petitioner. Further it is submitted that the petitioner may be directed to submit a fresh representation to the respondent management along with a copy of calculation memo in respect of the balance amount of subsistence allowance payable to the petitioner and on receipt of such representation, the same will be considered and appropriate orders will be passed.

4.The learned counsel for the petitioner also agreed to make a fresh representation before the respondent management along with the calculation memo in respect of balance amount of subsistence allowance, payable to the petitioner.

5.In the light of the submissions made on either side, this Court is inclined to pass the following directions:

(i)The petitioner is directed to submit a fresh representation to the respondent management by furnishing the particulars with regard to balance amount of subsistence allowance (calculation memo) within a period of one week from the date of receipt of a copy of this order.

(ii)If any such representation is received by the respondent management, the same shall be considered and appropriate orders be passed within a period of six weeks thereafter.

(iii)If there is any dispute with regard to payment of subsistence allowance, it is open to the petitioner to approach the authorities concerned seeking appropriate relief.

6.The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //



To

1. The Joint Director (Secondary),
Directorate of School Education,
College Road,
Chennai - 600 006.
2. The Chief Educational Officer,
Office of the Chief Educational Officer,
Trichy.
3. The District Educational Officer,
Office of the District Educational Officer,
Trichy.

+One cc to Mr.S.Malaikani, Advocate, SR.No.74355
+One cc to M/s.Isaac Chambers, SR.No.74380

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RL/16.07.2019/3P/6C