

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**Writ Petition (MD).No.3515 of 2016andW.M.P.(MD).Nos.3117 and 3118 of 2016

N.Thanalakshmi @ Velammal

... Petitioner

Vs.

1.The Director of Primary Education,
College Road,
Nungambakkam,
Chennai-6.

2.The District Elementary Educational Officer,
Tirunelveli.

3.The Assistant Elementary Educational Officer,
Tirunelveli urban,
Tirunelveli.

4.The Secretary,
Hindu Middle School,
Melaveeraragavapuram,
Tirunelveli-1.

5.The Headmistress,
Hindu Middle School,
Melaveeraragapuram,
Tirunelveli-1.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, by calling for the records pertaining to the impugned suspension proceedings by the fourth respondent dated 28.01.2016 and quash the same as illegal and arbitrary.

For Petitioner : Mr.P.Subaharan

For Respondents 1 to 3 : Mrs.S.Srimathy,
Special Government Pleader

For 4th Respondent : Mr.K.K.Kannan

For 5th Respondent : No appearance

**ORDER**

Challenging the impugned suspension order passed by the fourth respondent, dated 28.01.2016, the present writ petition has been filed by the petitioner.

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2.It is brought to the notice of this Court that during the pendency of the writ petition, the fourth respondent has passed the final order by imposing punishment of dismissal from service.

3.According to the learned counsel for the fourth respondent, the petitioner has preferred an appeal and the same is pending.

4.The learned counsel for the petitioner submitted that so far subsistence allowance has not been paid to the petitioner and during the suspension period, final order has been passed, in the enquiry proceedings. Further, the learned counsel for the petitioner brought to the notice of this Court that the fourth respondent School has forwarded a proposal to the authority for sanctioning of the subsistence allowance and so far no order being passed.

5.The learned Special Government Pleader submitted that the said subsistence allowance will be paid by the second respondent in accordance with law.

6.In view of the fact that the final order has been passed by the fourth respondent, the second respondent/ the District Elementary Educational Officer is directed to process the proposal submitted by the fourth respondent for payment of subsistence allowance to the petitioner within a period of the eight weeks from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. No costs. Consequently, the connected W.M.P.(MD).Nos.3117 and 3118 of 2016 are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

akv/vsg

To:

1.The Director of Primary Education,
College Road,
Nungambakkam,
Chennai-6.



2.The District Elementary Educational Officer,
Tirunelveli.

3.The Assistant Elementary Educational Officer,
Tirunelveli urban,
Tirunelveli.

+1CC TO MR.K.K.KANNAN, Advocate Sr. No.70134
+1CC TO MR.T.RAMAR, Advocate Sr. No.69849
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.70439

Writ Petition (MD).No.3515 of 2016
and
W.M.P.(MD).Nos.3117 and 3118 of 2016
19.06.2019

DB (CO)
TR (05.07.2019) 3P 7C