



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.3311 of 2020

WEB COPY

S.S.Porchezian

... Petitioner

/vs./

The Engineer in Chief WRD and
Chief Engineer (General)
Public Works Department,
Chepauk,
Chennai-5.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent to release entire pending subsistence allowance to the petitioner forthwith.

For Petitioner	: Mr.RM.Arun Swaminathan
For Respondent	: Mr.C.M.Marichellaiah Prabhu Additional Government Pleader

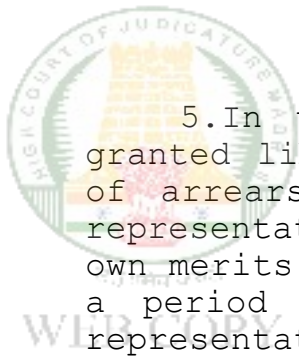
ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This writ petition has been filed to direct the respondent to release the entire pending subsistence allowance to the petitioner forthwith.

3.The learned counsel for the petitioner would submit that he would be satisfied, if a direction is given to the respondent to consider his representation seeking for payment of subsistence allowance, which according to him, was not paid during the period of suspension.

4.A perusal of the petitioner's representation dated 16.10.2019 would reveal that he had made a consolidated claim and therefore, it would not be appropriate to direct the respondent to consider his representation dated 16.10.2019. However, if the petitioner is granted liberty to make a fresh representation seeking for payment of arrears of the subsistence allowance with the consequential direction to the respondent to consider the same, the ends of justice could be secured.



5.In the light of the above observations, the petitioner is granted liberty to make a fresh representation seeking for payment of arrears of the subsistence allowance and on receipt of such representation, the respondent herein shall consider the same on its own merits and pass appropriate orders in accordance with law within a period of four (4) weeks from the date of receipt of such representation. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To:

The Engineer in Chief WRD and
Chief Engineer (General)
Public Works Department,
Chepauk,
Chennai-5.

+1 CC to Mr.RM.ARUN SWAMINATHAN, Advocate (SR-7336[F] dated
20/02/2020)

+1 CC to SPL.GP (SR-7779[F] dated 24/02/2020)

Order made in
W.P. (MD) No.3311 of 2020
Dated:20.02.2020

MK (13.03.2020) 2P 4C