



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2020

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD).No.15097 of 2020

WEB COPY

E.Mariappan

... Petitioner

Vs.

The District Manager,
TASMAC Limited,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to pay the subsistence allowance to the petitioner along with arrears, by considering his representation, dated 22.01.2020.

For Petitioner : Mr.K.Prabhu
For Respondent : Mr.B.Jameel Arasu
Standing counsel

O R D E R

This writ petition has been filed for issuance of a writ of Mandamus directing the respondent to pay the subsistence allowance to the petitioner along with arrears, by considering his representation, dated 22.01.2020.

2. According to the petitioner, he was working as a Salesman in the TASMAC Shop bearing Shop No.10805 situated in 10/171E, Gandhi Road, Shenkottai, Tenkasi District and he was suspended from service on 21.11.2019. Thereafter, no charge has been framed against him. Hence, he made a representation to the respondent on 22.01.2020, for providing subsistence allowance to him. Even till date no order has been passed with regard to the payment of subsistence allowance and he is entitled for the same during the period of suspension.

3. The learned Standing counsel appearing for the respondent would submit that a case in Crime No.385 of 2015 has been registered against the petitioner for the offences under Sections 302 and 341 of I.P.C., and subsequently, he was arrested and convicted and now, he is on bail. With regard to the subsistence allowance, the representation of the petitioner dated 22.01.2020, will be considered on merits and in accordance with law.

4. In view of the submissions made by the learned counsels, this Court directs the respondent to consider the representation of the petitioner, dated 22.01.2020, for providing subsistence



allowance, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

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Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

akv

To

The District Manager,
TASMAC Limited,
Tirunelveli District.

+1 CC to Mr.K.PRABHU, Advocate (SR-20897[F] dated 03/11/2020)

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VB (09.11.2020) 2P 3C