



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22015 of 2021

WEB COPY
Vetriselvi

... Petitioner

versus

The Managing Director,
R.619, Chinthamani Consumer Cooperative
Wholesale Stores Ltd.,
Chinthamani Co-operative Stores Complex,
Puthur,
Trichy - 17.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to pay the subsistence allowance from the date of his suspension, i.e.14.12.2020 to till date, within a period stipulated by this Court.

For Petitioner : M/s.T.Banumathy
For Respondent : Mr.A.Kannan,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for the issuance of writ of mandamus, directing the respondent to pay the subsistence allowance from the date of his suspension, i.e. on 14.12.2020 to till date, within the time stipulated by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner, who was working as Saleswoman at Amma Vegetable Shop run by the respondent Society, was placed under suspension on 14.12.2020. Though the petitioner was placed under suspension on 14.12.2020, so far, the subsistence allowance has not been paid to him. Hence, the petitioner is before this Court.

3. Mr.A.Kannan, learned Additional Government Pleader, who takes notice on behalf of the respondent, produced written instructions of the respondent and submits that the petitioner has not approached the respondent and submitted a non-employment certificate so far. Therefore, there is a delay in paying the substance allowance. If the petitioner appears before the respondent and submits a non-employment certificate, the respondent would pay the subsistence allowance within a period of one week from the date of receipt of that certificate. He further submits that



the respondent is also intending to revoke the suspension and accommodate the petitioner in a non-sensitive post, pending the enquiry.

4. The submission of the learned Additional Government Pleader is recorded and the writ petition is disposed of directing the petitioner to submit a non-employment certificate as required by the respondent within a period of one week from the date of receipt of a copy of this order. On such production of non-employment certificate, the respondent shall disburse the subsistence allowance including the arrears to the petitioner within a period of one week thereafter. It is always open to the respondent to revoke the suspension order, if they are intending to revoke the same. No costs.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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To

The Managing Director,
R.619, Chinthamani Consumer Cooperative
Wholesale Stores Ltd.,
Chinthamani Co-operative Stores Complex,
Puthur,
Trichy - 17.

+1 CC to M/s.SPL GP (SR-39951[F] dated 22/12/2021)

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20.12.2021

NSN(CO)

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