



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.5663 of 2022

J.Sumathi

... Petitioner

Vs.

- 1.The Chief Education Officer,  
Ranipet District.
- 2.The Director of School Education,  
Chennai.
- 3.The Joint Director of School Education,  
Chennai.
- 4.The District Educational Officer,  
Arakonnam, Ranipet District.
- 5.The Head Master,  
GGHSS, Nemili,  
Ranipet District.

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representations dated 10.08.2021, 16.09.2021, 15.11.2021 to credit petitioner unpaid subsistence allowance and dearness allowance on the basis of the petitioner herein.

For Petitioner : Mr.N.Anandhan

For Respondents: Mrs.P.Raja Rajeswari  
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to consider the petitioner's representations dated 10.08.2021, 16.09.2021, 15.11.2021 to credit petitioner unpaid subsistence allowance and dearness allowance on the basis of the petitioner herein.



2. The case of the petitioner in brief:

The petitioner was working as BT Assistant in the 3<sup>rd</sup> respondent school and the 1<sup>st</sup> respondent initiated proceedings against the petitioner in R.C.No.1467/2021 dated 08.04.2021 by which she was suspended from service under Sub Rule 17C (1) (i) of Tamil Nadu Civil Service (Discipline and Appeal Rules). Para 4 of the order clearly mentioned that the subsistence allowance and dearness allowance will be paid to the petitioner while she was under suspension which is admissible under Fundamental Rules 53(1). The petitioner has faced the suspension for the past nine months and she was not paid such aforesaid allowances for the aforesaid period. Therefore, the petitioner made a representation on 10.08.2021 to the 1st and 5th respondents and also made a representation on 16.09.2021 to the 4th respondent to pay the subsistence allowance and dearness allowance, but her representation was not considered till date. Hence, this writ petition.

3. The learned Government Advocate appearing for the respondents submitted that if any such representation was received by the respondents 1 to 4, the same will be considered on merits and in accordance with law.

4. In view of the aforesaid submissions and also considering the limited scope of the prayer, without expressing any opinion on merits, in the interest of justice, this Court is inclined to direct the 1<sup>st</sup> and 2nd respondents to consider the petitioner's representation dated 10.08.2021 on its own merits and in accordance with law, as expeditiously as possible within a period of eight 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.

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

ata/uma

To

1.The Chief Education Officer,  
Ranipet District.



2.The Director of School Education,  
Chennai.

3.The Joint Director of School  
Education,  
Chennai.

4.The District Educational Officer,  
Arakonnam, Ranipet District.

5.The Head Master,  
GGHSS, Nemili,  
Ranipet District.

+1cc to Mr.N.Anandhan, Advocate SR.No.16985

+1cc to Government Pleader SR.No.17781

W.P.No.5663 of 2022

SKM(CO)  
GMY (28/03/2022)