



W.P.No.15760 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2022

Coram

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15760 of 2022

Balasubramanian

.... Petitioner

Vs.

1. The Director,
Commissionarate of Employment & Training,
Thiru Vi.Ka Industrial Estate,
Guindy, Chennai 600 032.

2. The Principal,
Government Industrial Institute,
Salem-8.

3. The Inspector of Police,
Deevattypatty Police Station,
Salem District.

... Respondents

Prayer : This writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 05.02.2021, seeking to pay arrears of salary along with other back wages, attendance benefits etc.



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For Petitioner : Mr.B.Manimaran

For Respondents : Mr. P.Ganesan, Govt. Advocate

ORDER

This petition has been filed to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 05.02.2021 and to pay arrears of salary along with other back wages, attendance benefits etc.

2. By consent of counsels for both the parties, this writ petition is disposed of at the admission stage itself.

3. The petitioner has joined as an Office Assistant in the second respondent's office. A case in Crime No.397 of 2014 was registered and he was arrested. Hence, suspension order was issued on 15.07.2014. Thereafter, there was no departmental enquiry conducted and the petitioner was not paid subsistence allowance. Subsequently, the suspension order was revoked on 23.09.2019, even thereafter, the petitioner was paid only 50% of the salary. The petitioner is entitled to



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get subsistence allowance for the suspension period. Thus, he made representation dated 05.02.2021, seeking arrears of salary and back wages. But, no order has been passed. Hence this writ petition.

4. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner will be considered by the authorities considered and appropriate orders will be passed in accordance with law.

5. In view of the above submission and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to pass the following order.

i) The second respondent is directed to consider the representation of the petitioner dated 05.02.2021 and to pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if otherwise he is eligible, as per the Rules.

ii) The petitioner is directed to produce all the relevant records before the respondents.



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6. With the above direction, this writ petition is disposed of. No costs.

24.06.2022

Index : Yes/No

Internet: Yes/No

Speaking order/Non Speaking order

mst

To

1. The Director,
Commissionerate of Employment & Training,
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D.KRISHNAKUMAR, J.
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