



WEB COPY



W.P.No.28620 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.28620 of 2022

S.Annadurai

... Petitioner

Versus

1.The Chief District Educational Officer,
Chief Educational Office,
Myladuthurai.

2. The Correspondent,
D.B.T.R.National Higher Secondary School,
Mayiladuthurai

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to pay subsistence allowance on petitioner's representation dated 13.05.2022.

For Petitioner : Mr.G.Appavu

For Respondents : Mr.C.Sathish
Government Advocate
R.2 - Dispensed with

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay the petitioner subsistence allowance based



W.P.No.28620 of 2022

on the petitioner's representation dated 13.05.2022 within a time to be fixed by

WEB this Court.

2. Heard Mr.G.Appavu, learned counsel for the petitioner and Mr.C.Sathish, learned Additional Government Advocate accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. The petitioner has been prosecuted under POCSO Act and he has been suspended from service. The grievance of the petitioner in this writ petition is that he has been paid subsistence allowance only for a period of two months after his suspension, but, thereafter, it was not paid. The petitioner has given a representation on 13.05.2022 requesting the respondents to pay subsistence allowance. Since the representation has not been considered till date, the petitioner has filed this writ petition.

4. Since no adverse orders are passed against the second respondent, notice to the second respondent is dispensed with.

5. No prejudice would be caused to the respondents if the petitioner's



W.P.No.28620 of 2022

representation dated 13.05.2022 is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 13.05.2022, seeking for payment of subsistence allowance within a period of eight weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

31.10.2022

sr

Index: Yes/No
Speaking Order/Non-Speaking Order

To

- 1.The Chief District Educational Officer,
Chief Educational Office,
Myladuthurai.
2. The Correspondent,
D.B.T.R.National Higher Secondary School,
Mayiladuthurai



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W.P.No.28620 of 2022

ABDUL QUDDHOSE,J.

sr

W.P.No.28620 of 2022

31.10.2022