



WEB COPY



W.P.No.33095 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.12.2022

Coram

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.33095 of 2022

L.Selvam

.. Petitioner

Vs

- 1.The Chairman cum Managing Director,
TANGEDCO, Tamil Nadu Electricity Board,
No.144,Anna Salai, Chennai – 2.
- 2.The Director,
TANGEDCO, Tamil Nadu Electricity Board,
No.144,Anna Salai, Chennai – 2.
- 3.The Chief Engineer,
TANGEDCO, Tamil Nadu Electricity Board,
No.144,Anna Salai, Chennai – 2.
- 4.The Chief Engineer / Distribution,
TANGEDCO, Tamil Nadu Electricity Board,
Gandhi Nagar, Vellore.
- 5.The Superintendent Engineer,
Krishnagiri Electricity Distribution Circle,
TANGEDCO, Tamil Nadu Electricity Board,
Krishnagiri.
- 6.The Executive Engineer,
O&M / TANGEDCO,
Poochampalli,
Krishnagiri District.

.. Respondents



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Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioner representation dated 02.11.2022 and consequently direct to reinstate the petitioner in service and pay the subsistence allowance i.e. 75% of his salary from 01.06.2021 to till date.

For Petitioner : Mr.R.Rajiv Gandhi
For Respondents : Mr.K.Rajkumar
Standing Counsel

ORDER

1. The grievance of the petitioner in this writ petition is that he has not been paid the subsistence allowance in accordance with law. He claims that he has to be paid 75% of his salary as subsistence allowance from the respondents. He also seeks for reinstatement.

2. The writ petitioner has given a representation on 02.11.2022 to the respondents requesting them to grant the aforementioned relief. Since the representation has not been considered till date, the present writ petition has been filed.



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3. Heard Mr.R.Rajiv Gandhi, learned counsel for the petitioner and Mr.K.Rajkumar, learned Standing Counsel, accepts notice on behalf of the respondents.

4. Learned Standing Counsel appearing for the respondents, on instructions would submit that, the writ petitioner has swindled huge sum of money and, therefore, he is not entitled for reinstatement. He would further submit that, an FIR has also been lodged in Crime No.4 of 2021 on the file of DCB, Krishnagiri. The said submission is recorded.

5. However, this Court is of the considered view that, no prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court. This Court is not expressing any opinion on the merits of the petitioner's claim.

6. For the foregoing reasons, this writ petition is disposed of by directing the fifth respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 01.06.2021 seeking for payment of 75% of his salary as subsistence



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allowance and also to reinstate him within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

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ABDUL QUDDHOSE,J.

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