



WEB COPY



W.P. No.34060 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.34060 of 2022 and W.M.P. No.33522 of 2022

S.Kandasamy

... Petitioner

vs.

- 1.The Principal Secretary to
Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai 600 009.
- 2.The Secretary to Government of Tamil Nadu,
Department of Co-operative
Food and Consumer Protection,
Fort St. George,
Secretariat,
Chennai 600 009.
- 3.The Registrar of Co-operative Societies,
170, N.V.Natarajan Maaligai,
EVR Periyar High Road,
Kilpauk,
Chennai 600 010.
- 4.The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Krishnagiri,
Krishnagiri District.



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5.The Deputy Registrar of Co-operative Societies,
O/o.The Deputy Registrar of Co-operative Societies,
Krishnagiri,
Krishnagiri District.

6.The President,
S.1063, Puliampatti Primary Agricultural
Co-operative Credit Society Limited,
Samandapatti Village,
Vadamangalam Post,
Pochampalli Taluk,
Krishnagiri 635 123.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the fourth respondent/the Joint Registrar of Co-operative Societies, Krishnagiri to pay subsistence allowance to the petitioner based on his last drawn salary at 50% for the first three months and 75% thereafter for the period from 21.02.2018 till date with 12% interest per annum and thereafter to pay subsistence allowance for every month during the period of suspension or any other order.

For petitioner : Mr.S.Sathiaseelan

For respondents : Mr.R.U.Dinesh Rajkumar,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the fourth respondent to pay the subsistence allowance to the petitioner based on his last drawn salary at 50% for the first three months



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and 75% thereafter for the period from 21.02.2018 till date with 12% interest per annum.

2.The grievance of the petitioner is that he was suspended from service on 21.02.2018. According to him, till date, the subsistence allowance has not been paid to him. In such circumstances, the petitioner has filed this writ petition.

3.Heard Mr.S.Sathiaseelan, learned counsel for the petitioner and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader appearing for the respondents.

4.No prejudice would be caused to the respondents if a direction is issued to the respondents to pay the eligible subsistence allowance to the petitioner, if not, already paid, within a time frame to be fixed by this Court.

5.The petitioner categorically contends that his subsistence allowance has not been paid till date even though the suspension order is dated 21.02.2018.



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6.For the foregoing reasons, this writ petition is disposed of by directing the fourth respondent to pay the eligible subsistence allowance to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order. Consequently, connected W.M.P. is closed. No costs.

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Index: Yes/No
vga



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ABDUL QUDDHOSE, J.

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