



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.9640 of 2019

S.Jothindra Geeth Prakash

... Petitioner

Vs.

1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.

2.The Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

3.The District Collector,
Kanyakumari District,
Nagercoil.

...Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent ie., the Secretary to Government, Revenue Department, Chennai to arrange to sanction the subsistence allowance from the date of superannuation to the petitioner, within a specified time frame that may be fixed by this Court.

For Petitioner	: Mr.S.Visvalingam
For Respondents	: Mr.A.K.Manikkam, Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the first respondent to sanction the subsistence allowance to the petitioner from the date of superannuation.

2.The petitioner was serving as a District Adi Dravidar and Tribal Welfare Officer and he reached the age of superannuation on 30.04.2007 and not allowed to retire from service and his services were extended.



3.The grievance of the writ petitioner is that subsistence allowance has not been paid to him.

4.The learned Special Government Pleader appearing for the respondents raised an objection stating that the petitioner has to submit all required documents for the purpose of sanctioning of subsistence allowance in accordance with the rules. Declaration Form is also to be filed by the petitioner.

5.In view of the facts and circumstances, the petitioner is at liberty to submit all necessary documents including the declaration Form, enabling the authorities to consider and sanction the subsistence allowance not exceeding the provisional pension during the period of suspension. Thus, the petitioner is directed to submit all relevant documents within a period of three weeks from the date of receipt of a copy of this order and on receipt of such documents, the respondents shall consider the same and take a decision and pass appropriate orders, if the petitioner is found otherwise eligible, sanction subsistence allowance within a period of twelve weeks from the date of receiving of documents.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government,
Revenue Department,
Secretariat,Chennai-600 009.

2.The Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,Chennai-600 005.

3.The District Collector,
Kanyakumari District,Nagercoil.

+1 CC to M/s.S. VISVALINGAM, Advocate(SR-18219[F] dated
12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18110[F] dated 12/04/2022)

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