



W.P.(MD)No.15182 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD)No.15182 of 2022

N.Balasubramanian

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
N.V.N.Maligai,
170 Periyar E.V.R.High Road,
Kilpauk,
Chennai - 600 010.

2. The Regional Deputy Registrar (Housing),
Trichy.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 11.09.2020 and to disburse the subsistence allowance due to the petitioner within a reasonable time.



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For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.P.Thilak Kumar
Government Advocate

ORDER

The relief sought for in the present Writ Petition is to direct the respondents to disburse the subsistence allowance due to the petitioner, based on the representation, dated 11.09.2020, submitted by him.

2. The learned counsel for the petitioner submitted that the petitioner was working as Co-operative Sub Registrar and was suspended two days before his date of retirement, i.e., on 31.10.2016. In the suspension order, it was ordered that he is deemed to be on extension of service for the period beyond 31.06.2016 A.N., i.e., the date on which, he attained the age of superannuation until the criminal case and enquiries were concluded and final orders passed by the Competent Authority. There was also an order passed sanctioning the payment of subsistence allowance of Rs.11,815/- (Rupees Eleven Thousand Eight Hundred and Fifteen only) on 20.10.2017.



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Despite that he was not paid subsistence allowance from the date of his suspension. In this regard, he submitted a representation, dated 11.09.2020, for disbursal of the subsistence allowance and the same was not considered. Therefore, this petition.

3. Mr.P.Thilak Kumar, learned Government Advocate takes notice for the respondents and submits that the petitioner's representation would be considered.

4. It is unfortunate that the petitioner is not paid with subsistence allowance after his suspension and deemed to be on extension of service for the period beyond 31.10.2016 until the criminal case and enquiries are concluded and final orders passed by the Competent Authority. The worst is that there was an order passed with regard to the subsistence allowance of Rs.11,815/- (Rupees Eleven Thousand Eight Hundred and Fifteen only) to the petitioner. Even thereafter, it is reported that the subsistence allowance is not paid. Therefore, the first respondent is directed to consider the



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petitioner's representation, dated 11.09.2020 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

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

14.07.2022

Index : Yes / No

Speaking Order : Yes / No

vji

To

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