



W.P.(MD)No.13206 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.13206 of 2017

N.Ilavarasaan

... Petitioner

Vs.

1.The Assistant Director of Survey and Land Records,
Dindigul.

2.The Tahsildar,
Natham Taluk,
Dindigul District.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records pertaining to the suspension order passed by the 1st respondent dated 28.11.2015 in Roc.No.A3/8797/2015 and quash the same and consequently direct the 1st respondent to reinstate the petitioner in service with continuity of service and full back wages and all other attendant benefits.

For Petitioner : Mr.D.Malaichamy

For Respondents : Mr.R.Sureshkumar
Additional Government Pleader



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ORDER

This Writ Petition has been filed to quash the suspension order passed by the first respondent dated 28.11.2015 in Roc.No.A3/8797/2015 and seeking for a consequential direction to the first respondent to reinstate the petitioner in service with continuity of service and full back wages and all other attendant benefits.

2. Heard Mr.D.Malaichamy, learned counsel appearing for the petitioner and Mr.R.Sureshkumar, learned Additional Government Pleader appearing for the respondents. Perused the material documents available on record.

3. It is seen from the records that the instant writ petition is filed to challenge the suspension order, dated 28.11.2015. Subsequently, a charge memo was issued and criminal case was also filed and the same is pending.

4. The contention of the petitioner is that in the criminal case, the trial has started but, was not proceeded further. The respondents have paid only 50% subsistence allowance, eventhough, the charge memo is dated 28.11.2015,



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the petitioner has received only 50% of subsistence allowance. Since he and his family members are suffering due to less amount paid by the respondents, hence, the petitioner is seeking to revoke the suspension order.

5. By taking note of the facts and circumstances of the case, this Court is inclined to entertain this petition. The petitioner is directed to submit an application along with a copy of the order. On receipt of the same, the respondents are directed to consider and pay subsistence allowance as per law, within a period of eight weeks from the date of receipt of a copy of the order.

6. With the above directions, this Writ Petition is disposed of. No Costs.

Index : Yes / No

22.12.2022

Internet : Yes

KSA

To

1.The Assistant Director of Survey and Land Records,
Dindigul.

2.The Tahsildar,
Natham Taluk, Dindigul District.



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S.SRIMATHY, J

KSA

**Order made in
W.P.(MD)No.13206 of 2017**

22.12.2022