



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.18551 of 2017

S.Rasalam

... Petitioner

vs.

1.The Director of Adi Dravidar Welfare,
Tribal Welfare Department,
Chepauk, Chennai -5.

2 .The Director of Tribal Welfare,
Tribal Welfare Department,
Chepauk, Chennai -5.

3.The District Adi Dravidar and
Tribal Welfare Officer,
Nagercoil, Kanyakumari District.

4.The Headmaster,
Government Tribal Residential
Higher Secondary School,
Petchiparai,
Kanyakumari District.

... Respondents

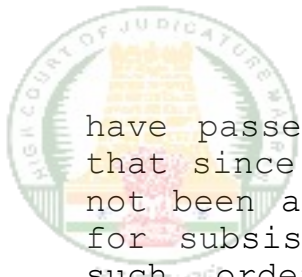
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th respondent herein to dispose of the representation made by the petitioner herein on 20.06.2017 within a time frame fixed by this Court.

For Petitioner	: Mr.J.Gunaseelan Muthiah
For Respondents	: M/s.D.Farjana Ghoushia Special Government Pleader

O R D E R

This Writ Petition was filed for issuance of a Mandamus, to direct the 4th respondent herein to dispose of the representation made by the petitioner herein on 20.06.2017 within a time frame fixed by this Court.

2.The petitioner was working as a Vocational Instructor in fourth respondent School. The petitioner has attained superannuation on 31.05.2017. However, on 30.05.2017, the petitioner was suspended from service under Section 17 (e) of Tamil Nadu Civil Services (Discipline and Appeal) Rules. The respondents



have passed an order, dated 31.05.2017, where it has been stated that since he had been placed under temporary suspension and he had not been allowed to retire under Rule 56(1)(C) and he was eligible for subsistence allowance under Rule 52(1)(a)(iii). In spite of such order, the respondents until now has not granted any subsistence allowance to the petitioner.

3. When the case was taken up for hearing today, i.e., on 20.02.2022, the respondents submitted that he comes under Contributory Pension Scheme. This Court without going into the merits or facts of the case, is directing the respondents to pass an order on his representation, dated 20.06.2017. If the petitioner is eligible for provisional pension or any other monetary benefits as per statutory rules, the respondents are directed to disburse the same within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tmg

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Director of Adi Dravidar Welfare,
Tribal Welfare Department,
Chepauk, Chennai -5.

2 .The Director of Tribal Welfare,
Tribal Welfare Department,
Chepauk, Chennai -5.



3.The district Adi Dravidar and
Tribal Welfare Officer,
Nagercoil, Kanyakumari District.

4.The Headmaster,
Government Tribal Residential
Higher Secondary School,
Petchiparai,
Kanyakumari District.

+1 CC to M/s.J.GUNASEELANMUTHIAH, Advocate (SR-1878[F] dated
20/01/2022)

+1 CC to M/s.SPL.GP (SR-2009[F] dated 21/01/2022)

W.P.(MD)No.18551 of 2017
20.01.2022

nsn(CO)
TR(07.02.2022) 3P 7C