



W.P. No. 8294 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8294 of 2023

S.Muthu Ramalingam

... Petitioner

-VS-

1. State rep by,
The District Collector-cum-Panchayat Inspector,
Office of the Collectorate, Nallipalayam (Post),
Namakkal Taluk and District – 637003.

2. The Commissioner,
Mohanoor Panchayat Union,
Mohanoor Post and Taluk,
Namakkal District – 637003.

3. The Headmaster,
Kandasamy Gounder Middle School,
Najai Edaiyaru, Mohanoor Panchayat,
Namakkal District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First and Second Respondents to consider the Petitioner's representation dated 28.09.2022 and to pay his subsistence allowance within a stipulated period that may be fixed by this Court.

For Petitioner : Mr. K.S.Vivekanandam

For Respondents : Mr. M.R.Gokul Krishnan,
Additional Government Pleader



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ORDER

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Heard Mr. K.S.Vivekanandam, Learned Counsel for the Petitioner and Mr. M.R.Gokul Krishnan, Learned Additional Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made the representation dated 28.09.2022 to the First Respondent to pay his subsistence allowance, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 28.09.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;



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- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

17.03.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023

To



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Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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