



**W.M.P.No.14833 of 2021 in
W.P.No.13969 of 2021**

BATTU DEVANAND, J.

This miscellaneous application has been filed seeking a direction to the third respondent to pay salary from March 2020 to 26th October 2020 in accordance with law pending the writ petition.

2. Heard Mr.B.Ravi, learned counsel for the petitioner and Mr.N.Nithyanandam, learned standing counsel for the respondents.

3. Learned counsel for the petitioner would submit that though the petitioner is entitled for subsistence allowance from March 2020 to October 2020, it was not paid by the respondents.

4. On the other hand, learned standing counsel for the respondents submits that due to the reason that the petitioner could not claim the subsistence allowance by submitting necessary documents, it is not paid to him. The averments are made at Paragraph 20 of the counter affidavit filed in the main writ petition about this aspect.

5. Having heard the submissions of the respective counsels and on perusal of the materials available on record, this Court is of the opinion that as the petitioner is legally entitled for subsistence allowance and the



respondents paid the same from 05.03.2019 to 29.02.2020 and as such, the petitioner is entitled for the same for the period from March 2020 to October 2020. But considering the submission made by the learned standing counsel appearing for the respondents that the reason for non payment of subsistence allowance for that period, in our view, it is appropriate to direct the petitioner to submit the necessary documents to the respondents within a week from today and on submission of the same, the respondents have to pay the subsistence allowance to the petitioner within two weeks thereafter in the interest of justice.

6. Accordingly, this Miscellaneous Petition is disposed of with a direction to the respondents to pay subsistence allowance to the petitioner from the month of March 2020 to October 2020 on production of the necessary documents by the petitioner within a period of two weeks from the date of submission of the documents.

16.06.2023

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Note: Issue order copy on 20.06.2023



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W.P.No.14833 of 2021 & W.M.P.No.13969 of 2021



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