



W.P. No. 16996 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P. No. 16996 of 2022

and

W.M.P. Nos. 16278 and 16280 of 2022

M.Ferozkhan

... Petitioner

-VS-

1. The Commissioner of School Education
DPI Campus, College Road
Chennai – 600 006.

2. Chief Educational Officer
Krishnagiri District
Krishnagiri.

3. District Educational Officer
Krishnagiri Education District
Krishnagiri.

4. Block Educational Officer
Veppanapalli Block
Krishnagiri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the second respondent in R.C. No. 3640/B1/2021 dated 10.06.2022 and to quash the same and consequently directing the respondents to reinstate the petitioner into service with all consequential and other attendant benefits.



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For Petitioner : Mr. G.Sankaran, Senior Counsel
For Mr. S.Nedunchezhiyan

For Respondents : Mr. V.Manoharan, AGP

ORDER

Heard Mr. G.Sankaran, learned Senior Counsel for Mr. S.Nedunchezhiyan, learned counsel for the petitioner and Mr. V.Manoharan, learned Additional Government Pleader appearing for the respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The order dated 10.06.2022 placing the petitioner under suspension is put under challenge in the present writ petition. Today when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the impugned order of suspension has been revoked vide order dated 02.02.2023 and the petitioner is back to service. At this juncture, learned counsel for the petitioner submitted that the subsistence allowance for the suspended period has not been paid to the petitioner.

3. It is needless to point out here that when the respondents placed their



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employees under suspension they are bound to pay the subsistence allowance for the suspended period. In this regard, the petitioner is granted liberty to make an appropriate application to the Chief Educational Officer, Krishnagiri seeking for payment of subsistence allowance for the suspended period. On receipt of the same, the Chief Educational Officer, Krishnagiri shall consider it favourably and pass necessary orders granting and disbursing the subsistence allowance to the petitioner as expeditiously as possible, in any event, within a period of four weeks from the date of receipt of a copy of the representation.

4. The writ petition is disposed of, accordingly. Consequently, connected miscellaneous petitions are closed. No costs.

09.10.2023

Maya

Index: Yes/No

NCS : Yes/No

To

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Krishnagiri.



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M.S.RAMESH, J.

Maya

3. District Educational Officer
Krishnagiri Education District
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Veppanapalli Block
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