



W.P.No.19247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.19247 of 2023

R.Shankar

...Petitioner

Vs.

1. The President,
C1363, Kalanthira Chettiapannur Primary
Agricultural Co-operative Credit Society Limited,
Chettiapannur Vaniyambadi,
Tirupattur District.

2. The Joint Registrar of Co-operative Societies,
Tirupattur.

3. The Deputy Registrar,
Deputy Registrar of Co-operative Societies,
Tirupattur Circle,
Tirupattur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 15.06.2023 within a time frame fixed by this Court.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader
for R1 to R3



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ORDER

Whenever an employee of a co-operative society is placed under suspension in contemplation of a domestic enquiry, the society is required to pay the subsistence allowance to the suspended employee. In the present case, the petitioner, who was working as a salesman, was placed under suspension on 16.03.2023. The learned counsel for the petitioner submitted that not even a single month subsistence allowance has been paid to the petitioner. On the other hand, the society has framed charges against him and an enquiry officer has also been appointed.

2. It is needless to point out that there is a mandate on the part of the society to pay the subsistence allowance to the petitioner in order to enable him to sustain his livelihood. This is a mandatory condition which the society requires to be followed to any employee who placed under suspension.

3. In view of this, the claim of the petitioner that he has not



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been paid the subsistence allowance, stands substantiated. Accordingly, there shall be a direction to the 1st respondent herein to forthwith pay the entire arrears of subsistence allowance together with interest 6% per annum, within a period of one week from the date of receipt of a copy of this order. Accordingly, this writ petition stands allowed. No costs.

06.11.2023

rka

Index:Yes/No

Internet:Yes/No



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M.S.RAMESH, J.,

rka

To

1. The President,
C1363, Kalanthira Chettiapannur Primary
Agricultural Co-operative Credit Society Limited,
Chettiapannur Vaniyambadi,
Tirupattur District.
2. The Joint Registrar of Co-operative Societies,
Tirupattur.
3. The Deputy Registrar,
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