



W.P(MD)No.13501 of 2023

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 09.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.13501 of 2023**

M.Muniyasamy

... Petitioner

Vs

- 1.The Commissioner,  
Treasuries and Accounts Department,  
Chennai – 15.
- 2.The Joint Director,  
Treasury and Audit Department,  
Madurai Zone,  
Madurai District.
- 3.The District Treasury Officer,  
Ramanathapuram District.
- 4.The Assistant Treasury Officer,  
Sub Treasury Office,  
Mudukulathur,  
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to revoke the suspension order vide R.C.No.11086/2020/A1 dated 15.12.2022 by



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considering the petitioner's representation, dated 05.06.2023 in the light of the G.O.(Ms)No.81 Human Resources Management(N) Department dated 04.08.2022 and consequently directing the respondents 1 and 3 to pay subsistence allowance during the suspension period from 15.12.2022 to till date.

For Petitioner : Mr.M.Shankar for  
Mr.A.B.Jeeva

For Respondents : Mr.N.Ramesh Arumugam  
Government Advocate

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner was suspended from service following allegation that he was one of the persons responsible for misappropriation of Government money. The petitioner was arrested and remanded to custody. It is stated that a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) was remitted by the petitioner and he got bail. The petitioner wants this Court to direct the respondents to review the suspension. This is not a case in which such an order or direction can be passed. The petitioner however has to be paid his subsistence allowance. Since the petitioner is not responsible for the delay, the subsistence allowance payable to the petitioner shall be enhanced from 50% to 75%. This enhancement shall come into effect from 01.07.2023. The respondents are also directed to



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conclude the disciplinary action against the petitioner notwithstanding the pendency of the criminal case on merits and in accordance with law within a period of eight months from the date of receipt of a copy of this order.

3. This writ petition is disposed of accordingly. There shall be no order as to costs.

**09.06.2023**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
MGA

To

1. The Commissioner,  
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Chennai – 15.
2. The Joint Director,  
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**G.R.SWAMINATHAN, J.**

MGA

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