



W.P.(MD).No.15816 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.15816 of 2023

O.Ravi

... Petitioner

Vs.

1.The Joint Director of Collegiate Education,
Madurai Region,
Sellur,
Madurai-625 002.

2.The Principal In-charge,
Pasumpon Muthuramalinga Thevar College,
Usilampatti-625 532,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to pay subsistence allowance forthwith to the petitioner in accordance with law by considering the representation, dated 31.05.2023.

For Petitioner : Mr.C.Senthil Murugan

**For Respondents : Mr.N.Ramesh Arumugam
Government Advocate**



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ORDER

The present writ petition has been filed seeking direction to the respondents herein to pay subsistence allowance forthwith to the petitioner in accordance with law by considering the representation, dated 31.05.2023.

2. The petitioner was appointed as Associate Professor in the second respondent College on 27.07.2006, which is a Government aided College, managed and administered by Kallar Kalvi Kazhagam, a Society registered under Societies Act. The petitioner was promoted as the Head of the Department, Mathematics Department on 10.12.2012 and thereafter, he was appointed on 02.11.2017 as a Controller of Examinations at Madurai Kamaraj University and promoted on 02.11.2020 as Principal of Pasumpon Muthuramalinga Thevar College, Usilampatti.

3. While so, on 25.04.2023, one Latha from Theni District lodged police complaint as against the petitioner. On the basis of which, a complaint in Crime No.19 of 2023 was registered on 25.04.2023 as against the petitioner. As a result of which, the petitioner was arrested and remanded to judicial custody. In



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consequence to the same, he was suspended by the first respondent on 25.04.2023. As a result of which, departmental action has also been initiated. The petitioner approached the respondents to pay subsistence allowance as prescribed in the relevant laws several times. Though he was suspended on 25.04.2023, he was not provided with any subsistence allowance so far. Hence, he made a representation to that effect on 31.05.2023 and the said representation is pending before the respondents for consideration. The in-action of the respondents has resulted the filing of this writ petition.

4. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents and carefully perused the materials available on record.

5. The learned Government Advocate appearing for the respondents circulated a communication of the first respondent, which has been communicated on 28.06.2023 to the second respondent, directing them to send an appropriate proposal for payment of subsistence allowance of the petitioner for the period from 01.04.2023 till 25.04.2023.



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6. In view of the same, this Court is inclined to direct the second respondent to send an appropriate proposal for subsistence allowance of the petitioner to the first respondent within a period of two (2) weeks from the date of receipt of a copy of this order and the first respondent in-turn on receipt of the said proposal is directed to act in accordance with law and dispose of the said proposal within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above said observation, this Writ Petition stands allowed.

There shall be no order as to costs.

10.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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L.VICTORIA GOWRI, J.

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