



W.P.No.6157 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.6157 of 2024

M.Padmanabhan

...Petitioner

-Vs-

1. The Director of Social Welfare,
and Women Empowerment Department,
Saidapet, Chennai-15.

2. The District Project Officer,
Dindigul District,
Dindigul.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus calling by issuing suitable direction directing the first and second respondents herein to confer the subsistence allowance or Provisional pension with effect from the date of the suspension order by considering the petitioner's representation dated 02.06.2023 in the light of the order of the first respondent herein in R.C.No.26800/Admn.5(2) dated 20.03.2023.



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For petitioner : Mr.R.S.Anandan

For respondents : Mr.K.Tamilvendan
Government Advocate

ORDER

This writ petition has been filed for direction directing the respondents to confer the subsistence allowance or provisional pension with effect from the date of suspension.

2. The petitioner had joined in the service as Office Assistant on 06.06.1985. Thereafter, his service was regularized in the post of Office Assistant on 10.09.1986 with effect from 06.06.1985. Thereafter, he was promoted to the post of Assistant in the year 2007. Subsequently, he was promoted to the post of Superintendent on 01.09.2009. While being so, he was served with charge memo dated 27.09.2022. In pursuant to the same, he was also suspended from service by an order dated 27.09.2022. Due to attaining age of superannuation, he was to retire from service on 30.09.2022. However, he was not permitted to retire from service by an order dated 29.09.2022 and he was placed under suspension. However, the



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petitioner was not paid subsistence allowance till date. In fact by an order dated 20.03.2023, the first respondent directed the 2nd respondent to initiate action to get subsistence allowance to the petitioner. However, so far the petitioner was not paid any subsistence allowance. In fact, the petitioner is also entitled for 75% of his salary as subsistence allowance. However, the petitioner was not paid any subsistence allowance so far.

3. Considering the above facts and circumstances, the respondents are directed to pay subsistence allowance to the petitioner along with arrears, if any, forthwith in the light of the order passed by the first respondent dated 20.03.2023.

4. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet: Yes/No
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G.K.ILANTHIRAIYAN,J.
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To

1. The Director of Social Welfare
and Women Empowerment Department,
Saidapet, Chennai-15.
2. The District Project Officer,
Dindigul District,
Dindigul.

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