



W.P.No.13942



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.13942 of 2024

E.Irulappan

... Petitioner

Vs.

1. Tamil Nadu Generation & Distribution Corporation Limited,
Rep. By Chairman -cum- Managing Director,
No.144, Anna Salai, Chennai – 600 002.

2. The Secretary,
Tamil Nadu Generation & Distribution Corporation Limited,
No.144, Anna Salai, Chennai – 600 002.

3. The Chief Engineer (Personnel),
Administrative Branch,
Tamil Nadu Generation & Distribution Corporation Limited,
No.144, Anna Salai, Chennai – 600 002. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to enhance the subsistence allowance to 75% from 01.03.2023 and pay house rent allowance and city compensatory allowance from 01.09.2022 and all attendant monitory benefits



based on petitioner representation dated 04.05.2024 within the time limit that may be stipulated by this Hon'ble Court.

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For Petitioner : Mr.L.Ramu

For Respondents : Mr.L.Jai Venkatesh,
Standing Counsel

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

2. The petitioner is employed in TANGEDCO. He was placed under suspension on 30.08.2022. The petitioner reached the age of superannuation. On account of pendency of the disciplinary action, the petitioner has not been allowed to retire. He has to be paid provisional pension equivalent to subsistence allowance. Obviously, the period of suspension has exceeded beyond six months. The amount of provisional pension has to be correspondingly revised.



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3. The first respondent is directed to vary the amount of provisional pension payable to the petitioner by taking into account the period of suspension and also the relevant service regulations. This shall be done by the first respondent within a period of six weeks from the date of receipt of a copy of this order. The arrears and other benefits payable to the petitioner shall also be disbursed immediately thereafter.

4. Accordingly, the writ petition stands allowed. No costs.

22.05.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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G.R.SWAMINATHAN, J.

skr

To

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