



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 04.09.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**W.P.No.25422 of 2024**

K.V.Natarajan

... Petitioner

Vs.

1.The Chairman cum Managing Director,  
Tamil Nadu Generation and Electricity Distribution Corporation Ltd.,  
Tamil Nadu Electricity Board,  
No.144, Anna Salai,  
Chennai – 600 002.

2.The Superintending Engineer (O & M)  
Tamil Nadu Generation and Electricity Distribution Corporation Ltd.,  
Tamil Nadu Electricity Board,  
Krishnagiri Electricity Distribution Circle,  
Krishnagiri, Krishnagiri District.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the subsistence allowance to the petitioner for the period from 29.06.2018 to 04.08.2021.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.Rajkumar  
Standing Counsel

**ORDER**



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This writ petition has been filed for issue of writ of mandamus directing the respondents to disburse the subsistence allowance to the petitioner for the period from 29.06.2018 to 04.08.2021.

2.Heard Mr.C.Prakasam, learned counsel appearing on behalf of the petitioner and Mr.K.Rajkumar, learned Standing Counsel appearing on behalf of the respondents.

3.The case of the petitioner is that when the petitioner was working as a Junior Engineer Grade-I, an FIR came to be registered by the DVAC. The petitioner was suspended from service on 18.03.2009. The criminal case also resulted in conviction and sentence against the petitioner for offence under the Prevention of Corruption Act.

4.The petitioner filed a criminal appeal in CrI.A.No.420 of 2018 before this Court and the said appeal is pending. The sentence alone was suspended, pending disposal of the appeal.



5.The superannuation of the petitioner fell on 30.04.2016 and in the meantime, the 2<sup>nd</sup> respondent through proceedings dated 16.04.2016 passed an order not allowing the petitioner to retire from service.

6.The departmental proceedings were proceeded against the petitioner and the same ended in the termination of the services of the petitioner on 17.08.2019.

7.The grievance of the petitioner is that he is entitled for the subsistence allowance from the date of his suspension till date of termination and the same was not paid to the petitioner. He made a representation in this regard to the 2<sup>nd</sup> respondent which was not considered. Therefore, the present writ petition has been filed seeking for appropriate directions.

8.Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the 2<sup>nd</sup> respondent to deal with the representation made by the petitioner on 10.02.2024 on its own merits and in accordance with law. Since this representation was given by the petitioner to the 1<sup>st</sup> respondent, the petitioner is directed to make a



fresh representation to the 2<sup>nd</sup> respondent, within a period of two weeks from the date of receipt of copy of this order along with all the relevant documents. On receipt of the same, the 2<sup>nd</sup> respondent shall take a decision, within a period of six weeks thereafter.

9.This writ petition is disposed of with the above directions. No Costs.

**04.09.2024**

Internet : Yes  
Index : Yes  
Speaking Order / Non Speaking Order  
ssr

To

1.The Chairman cum Managing Director,  
Tamil Nadu Generation and Electricity Distribution Corporation Ltd.,  
Tamil Nadu Electricity Board,  
No.144, Anna Salai,  
Chennai – 600 002.

2.The Superintending Engineer (O & M)  
Tamil Nadu Generation and Electricity Distribution Corporation Ltd.,



Tamil Nadu Electricity Board,  
Krishnagiri Electricity Distribution Circle,  
Krishnagiri, Krishnagiri District.



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**N. ANAND VENKATESH, J.**

SSR

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