



WMP(MD) No.8816 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)
Tuesday, the Twenty Third day of April Two Thousand and Twenty Four
PRESENT

The Hon`ble Ms.Justice R.N.MANJULA
WMP(MD) No.8816 of 2024
IN
WP(MD) No.9757 of 2024

P.THANGA ANDI

... PETITIONER/PETITIONER

Vs

1 THE DISTRICT COLLECTOR
MADURAI DISTRICT, MADURAI.

2 THE PERSONAL ASSISTANT (DEVELOPMENT) TO
THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

3 THE BLOCK DEVELOPMENT OFFICER (PANCHAYATS)
MADURAI WEST PANCHAYAT UNION,
MADURAI - 625002.

... RESPONDENTS/RESPONDENTS

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the 2nd respondent to pay subsistence allowance from the date of suspension on 27.12.2022 to the petitioner as per Rule 17(4) of Tamilnadu Village Panchayat Secretaries (conditions of service) Rules, 2013 pending disposal of this writ petition.

Prayer in WP(MD). 9757/ 2024 :

To issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned suspension order passed by the 2nd respondent in Na.Ka.No. 4923/2015/Oo.Va-8 dated 27.12.2022 and quash the same and directing the respondents to reinstate the petitioner in service with all attendant monetary benefits without any break in service.

ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the

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arguments of MR.K.K.KANNAN, Advocate for the petitioner and of MR.N.RAMESH ARUMUGAM, Government Advocate on behalf of the Respondent Nos.1 & 2 and MR.J.SHANMUGAVEL, Additional Government Pleader on behalf of the 3rd Respondent, the court made the following order:-

This petition is filed to direct the second respondent herein to pay subsistence allowance to the petitioner from the date of suspension on 27.12.2022.

2.Mr.K.K.Kannan, learned counsel appearing for the petitioner submitted that as per Rule 17(4) of Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013, the petitioner is entitled to be paid subsistence allowance of 50% of the last pay and allowance drawn. Though the petitioner was suspended as early as on 27.12.2022, till date, no subsistence allowance has been paid to him and he is finding hard to maintain himself and his family during the suspension period.

3.In view of the above submission, this petition is allowed and the second respondent is directed to pay subsistence allowance to the petitioner in accordance with the Rules in force.

4.List the matter after two weeks.

sd/-
23/04/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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+1 CC to M/s.K.K.KANNAN, Advocate (SR-4743[I] dated 23/04/2024)

ORDER

IN

WMP(MD) No.8816 of 2024

IN

WP(MD) No.9757 of 2024

Date :23/04/2024

RS/GS/SAR-(30.04.2024) 3P 5C

Madurai Bench of Madras High Court is issuing
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