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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22238 of 2024

A.Manivel

... Petitioner

Vs.

The Joint Registrar/Managing Director,
Tiruchirappalli Central Co-operative Bank Limited,
Trichy District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to disburse to the petitioner the periodically enhanced Subsistence allowance for the period June 2014 to February 2016 as well as annual increment with interest for the period July 2015 to October 2018 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.D.Shanmugaraja Sethupathy



ORDER

The instant writ petition has been filed by an employee of the respondent Co-operative Society, seeking a mandamus to disburse the arrears of subsistence allowance for the period between June 2014 to February 2016 as well as annual increment with interest for the period between July 2015 to October 2018.

2.As it could be seen from the affidavit, the petitioner was placed under suspension on 28.05.2014 and the suspension was revoked on 23.05.2016. According to the learned Counsel appearing for the writ petitioner, subsistence allowance for the said period has not been granted and the period of suspension has not been regularised.

3.Per contra, the learned Standing Counsel appearing for the Co-operative Society has brought to the notice of the Court that even as early as on 13.11.2016, an order has been passed by the respondent herein regularising the period of suspension as eligible leave. As per the said order, the period between 30.12.2014 and 23.05.2016 has been treated as leave on loss of pay.

4.Therefore, unless the petitioner challenges the said order, the question of payment of arrears of subsistence allowance or granting increment would not arise.



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5. In view of the above said facts, the writ petition stands disposed of with liberty to the writ petitioner to challenge the order dated 13.11.2016, if he is so advised. No costs.

19.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR

To

The Joint Registrar/Managing Director,
Tiruchirappalli Central Co-operative Bank Limited,
Trichy District.



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R.VIJAYAKUMAR, J.

RJR

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