



W.P.No.32353 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 32353 of 2025

K.Paunraj

...Petitioner

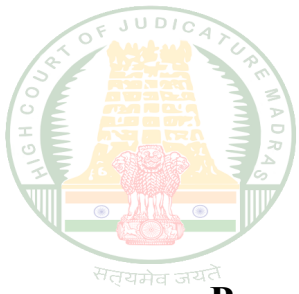
Vs.

1.The Director of Municipal Administration
Urban Administration Building, MRC Nagar,
Chennai-600 028.

2.Municipal Commissioner
Valparai Municipality, Valparai,
Coimbatore District-642 127.

3.The District Collector
Coimbatore,
Coimbatore District

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issue of Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 08.02.2025 and grant him subsistence allowance of 75 % for the period 01.08.2021 to 01.08.2025 (till date) in accordance to Fundamental Rules 53(1) and Section 3 of The Tamil Nadu Payment of Subsistence Allowance Act, 1981.

For Petitioner : Mr. S.Sudhanthiran

For Respondents : Mr. C.Selvaraj
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“directing the respondents herein to consider the petitioner's representation dated 08.02.2025 and grant him subsistence allowance of 75 % for the period 01.08.2021 to 01.08.2025 (till date) in accordance to



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Fundamental Rules 53(1) and Section 3 of The Tamil Nadu Payment of Subsistence Allowance Act, 1981”.

2. The petitioner would submit that he was working as a Commissioner of Valparai Municipality from December 2019 to March 2021. During his tenure as a Commissioner he performed his duties without demur. It is the case of the petitioner that the Regional Director had lodged a Police complaint against the petitioner on 10.04.2021 in Crime No.14 of 2021 under Section 408 & 420 of IPC, 13 (1) (c), 13 (1) (d), 13 (1) (d) (i), 13 (1) (d) (ii), 13 (1) (d) (iii), 13 (1) (e) of the Prevention of Corruption Act, 1988. Thereafter, the Municipal Commissioner had preferred a written complaint against the petitioner on 14.06.2021 in Crime No.17 of 2021 for an alleged offence under Section 409, 420 and 120 B of IPC.

3. The petitioner would submit that vide proceedings in DMA.Proc.No.8621/C1/2021 dated 04.05.2021, he was placed under suspension. The petitioner further submits that till now he had been



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paid subsistence allowance only for a period from March 2021 to June 2024 at the rate of 50% and thereafter the subsistence allowance had not been paid.

4. The petitioner would submit that the continuance of suspension ordered is not directly attributable to him and therefore the subsistence allowance for the prolonged period beyond 6 months should be paid at the rate of 75% from August 2021 till August 2025. In this regard the petitioner sent a representation to the respondents on 08.02.2025. However the same has not been considered to date. Therefore, the petitioner is before this Court.

5. Heard the learned counsel on the either side and perused the records.

6. From the records it is seen that the subsistence allowance was paid only for a period from March 2021 to June 2024. Thereafter, no amount has been paid and the petitioner has submitted his



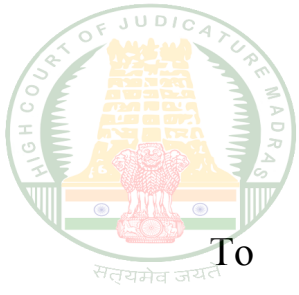
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representation as early as on 08.02.2025. However, the same has not been considered to date. Therefore, the respondents are directed to consider the petitioner's representation within a period of 2 months from the date of receipt of a copy of this order. In case the petitioner's representation has been considered positively, then the subsistence allowance shall be paid to the petitioner together with arrears within a period of 1 month there from.

7. The Writ Petition is allowed with the above direction. No costs.

26.08.2025

Index : Yes/No
Internet : Yes/No
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To

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