



W.A(MD)No.952 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.A(MD)No.952 of 2025
and
C.M.P(MD)No.6079 of 2025**

- 1.The Director of School Education,
Directorate of School Education,
DPI Complex, College Road,
Chennai – 600 006.
- 2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Tenkasi District,
Tenkasi.
- 3.The Headmaster,
Government High School,
Thazhai Subramamapuram,
Tenkasi Taluk and District.

... Appellants/Respondents

Vs.

K.Ranjith Murugan

... Respondent/Writ Petitioner

Prayer: Writ Appeal filed under Clause 15 of the Letter Patent against the order dated 04.03.2025 made in W.P.(MD)No.4473 of 2025 on the file of this Court.



W.A(MD)No.952 of 2025

WEB COPY

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Mr.J.Jabezsam Goodley

JUDGMENT

(Judgment of the Court was delivered by **S.SRIMATHY, J.**)

This Writ Appeal has been directed against the order passed by the Writ Court, dated 04.03.2025 made in W.P.(MD)No.4473 of 2025.

2.The writ Court, by order dated 04.03.2025, passed the following order:

“6. This Court has no hesitation to hold that the second respondent, without following the procedure provided under law to pay the subsistence allowance to the petitioner every month, caused irreparable loss and inconvenience to the petitioner. If an employee after suspension from service is not in a position to get the subsistence allowance, he could not attend the day to day needs of his family. Non-payment of subsistence allowance to the petitioner in not following the



W.A(MD)No.952 of 2025

WEB COPY *procedure by the second respondent would cause difficulties not only to the petitioner but also to the entire family. On considering the admitted fact that the petitioner is not paid subsistence allowance from the month of October 2024 to February 2025 it is the duty of the Court to compensate the petitioner by awarding cost upon the competent authority i.e the second respondent. Secondly, without making payment of subsistence allowance to the petitioner as per the Rules and without considering the representation dated 16.11.2024 submitted by the petitioner with the said request, the second respondent forced the petitioner to approach this Court by spending some amount for the legal expenses. The second respondent is liable to pay the said expenses to the petitioner.*

7. For the aforesaid reasons, this writ petition is allowed with the following directions:

i) The second respondent is directed to pay subsistence allowance from the date of suspension i.e from 24.09.2024;

ii) The second respondent shall pay Rs.50,000/-(Rupees Fifty Thousand Only) towards compensation and costs to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

8. This Court intends to order payment of compensation and costs for the legal expenses incurred by the petitioner upon the second respondent to send a clear message to all the Government Officers to sensitize them in implementing the rules and follow the law in a proper manner.”



W.A(MD)No.952 of 2025

WEB COPY

3.The learned Additional Government Pleader appearing for the appellants would contend that only against awarding of cost by the learned Single Judge in the order impugned, this Writ Appeal has been filed. Therefore, to that extent, if the cost imposed by the learned Single Judge is interfered with, the appellants would be satisfied.

4.In view of the abovesaid submissions, this Writ Appeal stands allowed by setting aside the cost imposed on the appellant Department by the Writ Court. We make it clear that the rest of the portion of the order passed by the Writ Court remains unaltered. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]

08.04.2025

(2/2)

NCC : Yes / No
Index : Yes / No
ps



W.A(MD)No.952 of 2025

WEB COPY

To

- 1.The Director of School Education,
Directorate of School Education,
DPI Complex, College Road,
Chennai – 600 006.
- 2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Tenkasi District,
Tenkasi.
- 3.The Headmaster,
Government High School,
Thazhai Subramamapuram,
Tenkasi Taluk and District.



WEB COPY



W.A(MD)No.952 of 2025

J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
W.A(MD)No.952 of 2025

DATED : 08.04.2025
(2/2)