



W.A(MD)No.951 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.951 of 2025
and
C.M.P(MD)No.6074 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.

S.S.Sankaranarayanan

... 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.4495 of 2025 on the file of this Court.

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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.4495 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



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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.”



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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

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NCC : Yes / No
Index : Yes / No
ps



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ORDER MADE IN
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