



WP(MD). No.16398 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.12.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.16398 of 2023

G.Sam Robust

... Petitioner

versus

The Assistant Director,
State Government Audit Department,
Tuticorin – 628 001.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to pay balance travelling allowances as per the Government order in G.O.Ms.No.307 dated 13.10.2017 (Finance (Pay Cell) Department and circular in Memo No.136167/A11-I/74-2 dated 30.11.1974 from Finance (Allowances – I) Department based on the representation dated 13.03.2023 within time frame that may be stipulated by this Court.

For Petitioner : Mr.B.Jeyakumar

For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader



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ORDER

The petitioner is working as Assistant Inspector in the Audit Department. For the purpose of conducting audit, he was on deputation to other District. The bills submitted by the petitioner for Travelling Allowance were not settled. Therefore, he has submitted a representation to the respondent requesting to settle the travelling allowance. However, he has been settled with a lesser amount than the eligible amount. Therefore, the petitioner, claiming balance amount of travelling allowance, as per G.O.Ms.No.307, Finance (Pay Cell) Department dated 13.10.2017, submitted a representation to the respondent and also filed this writ petition.

2. A detailed counter affidavit has been filed, wherein, the respondent, by relying on paragraph 5 of the G.O.Ms.No.249, Finance (Allowances-1), Department, dated 09.03.1990 in respect of lodging and boarding charges, stated that the officials have to produce vouchers for lodging in case of staying in hotel. The petitioner has not submitted any hotel bill.



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3. The learned counsel appearing for the petitioner, by referring to G.O.Ms.No.307, Finance (Pay Cell) Department dated 13.10.2017, submits that there is no such condition as prescribed in the present G.O.Ms.No.307, dated 13.10.2017. However, by relying upon the old G.O.Ms.No.249, dated 09.03.1990, the petitioner has been denied the allowance that he has not submitted any bill. The earlier G.O.Ms.No.249 permitted for actual claim amount by producing the bills. However, the same has been subsequently modified by G.O.Ms.No.307, Finance (Pay Cell) Department dated 13.10.2017, by fixing a ceiling amount. Once the ceiling amount has been prescribed in G.O.Ms.No.307, dated 13.10.2017, the respondents are not justified in referring G.O.Ms.No.249 to reduce the payment of allowance that the petitioner has not produced any bill.

4. This Court considered the rival submissions made.

5. The travelling allowance is now governed under G.O.Ms.No. 307, Finance (Pay Cell) Department dated 13.10.2017. There is no reference in the Government Order that the allowance can be claimed



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only after producing the necessary bills. However, in G.O.Ms.No.249, Finance (Allowances-1) Department, dated 09.03.1990, there is a specific clause to produce the bills and by that G.O., the actual amount spent by the employee was provided. When the earlier G.O.Ms.No.249 has been subsequently modified by G.O.Ms.No.307, the respondent is not justified in denying the allowance as provided under G.O.Ms.No.307 dated 13.10.2017.

6. In view of the above, this writ petition is allowed. The respondent is directed to provide travelling allowance to the petitioner as per G.O.Ms.No.307, Finance (Pay Cell) Department, dated 13.10.2017. No costs.

04.12.2025

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

To

The Assistant Director,
State Government Audit Department,
Tuticorin – 628 001.

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B.PUGALENDHI, J.

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