



WP(MD). No.26102 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.10.2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.26102 of 2025

and

WMP(MD)No.20373 of 2025

S.Esakkiappan

... Petitioner

Vs.

1. The Chief Educational Officer,
Tenkasi District, Tenkasi.

2. The Head Master,
Avvaiyar Government Girl Hr.Sec School,
Paravoorchatram,
Tenkasi District.

3. The Inspector of Police,
All Women Police Station,
Alankulam, Tenkasi District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling upon the records of the impugned proceedings in Na.Ka.No.3591/B4/2022 dated 28.04.2025 on the file of the 1st respondent and the consequent impugned proceedings in Na.Ka.No.79/2022 dated 01.09.2025 on the file of the 2nd respondent and quash the same as illegal and further direction the 1st and



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2nd respondent to pay 75% of the petitioner salary as subsistence allowance along with arrears by considering the representations of the petitioner dated 27.03.2025 and 25.08.2025.

For Petitioner : Ms.M.Ashwini for Mr.K.Jeyamohan,

For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader

ORDER

This Petition is filed challenging the impugned proceedings in Na.Ka.No.3591/B4/2022 dated 28.04.2025 on the file of the 1st respondent and the consequent impugned proceedings in Na.Ka.No. 79/2022 dated 01.09.2025 on the file of the 2nd respondent and further direction the respondents 1 and 2 to pay 75% of the petitioner's salary as subsistence allowance along with arrears by considering the representations of the petitioner dated 27.03.2025 and 25.08.2025.

2. I have heard the learned counsel on either side and perused the material available on record.



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3. The order impugned herein, refusing to grant higher subsistence allowance, is not based on Fundamental Rule 53.

4. In view of the same, the order impugned herein is set aside and the matter is remitted back to the Chief Educational Officer, Tenkasi, viz., the first respondent, and the first respondent shall consider the claim of the petitioner in consonance with Fundamental Rule 53, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No order as to costs. Consequently, connected Miscellaneous Petition is closed.

24.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU,J

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