



WP.(MD)No.35460 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.35460 of 2025

K.Alexpandi

... Petitioner

Vs.

1.The Superintendent of Prison,
Madurai Central Prison Campus,
Madurai.

2.The Superintendent,
Open Air Prison,
Purasadaiudaippu,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to pay subsistence allowance from the month of July 2025 till date and for the succeeding months following suspension of the petitioner with effect from 09.07.2025 by considering the petitioner's representation dated 03.11.2025 and 18.11.2025 within the period that may be stipulated by this Court.



WP.(MD)No.35460 of 2025

For Petitioner : Mr.H.Mohammed Imran,
for M/s.Ajmal Associates.

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

ORDER

The petitioner, who is working as a Grade-II Warden in Central Prison, Trichy, was placed under suspension, on 09.07.2025. A charge memo dated 17.09.2025 has also been issued as against him that he has misappropriated a sum of Rs.40,00,000/- from the wage amount, which was meant for the prisoners. The petitioner has approached this Court that he has not been paid with the subsistence allowance.

2.The learned Additional Government Pleader appearing for the respondents submits that the petitioner is evading the disciplinary proceedings, on the other hand, he is asking for subsistence allowance. He has not appeared before the enquiry officer.



3.The learned counsel appearing for the petitioner has denied the same and submits that though the petitioner has been suspended, he was not provided with subsistence allowance and therefore, he is not in a position to appear before the enquiry officer.

4.This Court has considered the submissions made on either side and perused the available records.

5.The petitioner, who is placed under suspension, is entitled for the subsistence allowance. It appears that the petitioner was suspended and disciplinary proceedings has also been conducted. Pending disciplinary proceedings, he is entitled for the subsistence allowance. Therefore, the respondents are directed to ensure that the petitioner is paid with the subsistence allowance. In the event, if the petitioner is not co-operating for the disciplinary proceedings, the disciplinary authority shall give him three chances and thereafter, shall proceed with the available materials. Let the disciplinary proceedings be completed within a period of six months from the date of receipt of a copy of this order.



WP.(MD)No.35460 of 2025

WEB COPY

6. With the above directions, this writ petition is disposed of. No costs.

11.12.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

gns

To

1. The Superintendent of Prison,
Madurai Central Prison Campus,
Madurai.

2. The Superintendent,
Open Air Prison,
Purasadaiudaippu,
Sivagangai District.



WEB COPY



WP.(MD)No.35460 of 2025

B.PUGALENDHIJ

gns

WP.(MD)No.35460 of 2025

11.12.2025