



W.P.No.30648 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 03.06.2026

CORAM

THE HONOURABLE MR.JUSTICE T.VINOD KUMAR

W.P.No.30648 of 2008

M.Subramaniam, Secretary
Tdp 224, Somanahalli Milk
Producers Cooperative Society,
Somanahalli Village, Palacode
Taluk, Dharmapuri Dist.

Petitioner(s)

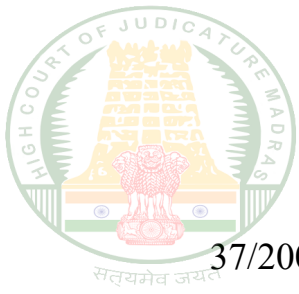
Vs

1.The Assistant Labour
Commissioner, Salem 636 007
(Authorised Officer Under The
Payment Of Subsistence Allowance
Act)

2.The Special Officer
TDP 224, Somanahalli Milk
Producers Cooperative Society,
Somanahalli, Palacode Taluk,
Salem Dist.

Respondent(s)

Prayer: This Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent relating to the order dated 23.1.2008 in PSA



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37/2005, quash the same and issue direction to the 2nd respondent to

disburse to the petitioner the arrears of Subsistence Allowance of Rs.1,22,696/- for the period from 18.07.2002 to 27.07.2005 within a time frame with interest at 18% for the delay.

For Petitioner : Mr.R.Thamarai Selvan

For Respondents : Ms.Y.Kavitha for R1
Additional Government Pleader
Mr.A.Arumugam for R2

ORDER

When the matter is taken up for hearing, the learned counsel for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents had brought to the notice of this Court the order dated 15.07.2022 passed by the Full Bench of this Court pursuant to reference made by the Co-ordinate Bench of this Court with regard to payment of Subsistence Allowance under Tamil Nadu Payment of Subsistence Allowance Act, 1981, (in short 'the Act of 1981').

2. The learned counsel appearing for the respective parties further submitted that the Full Bench of this Court had taken note of the fact that the second respondent in the Writ Petition i.e., Somanahalli Milk

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Producers Co-operative Society had become defunct and thereby there is no necessity to adjudicate upon the issue and thus closed the issue pending before the Full Bench.

3. The Full Bench of this Court, while closing the issue, had further observed that even if the petitioner Secretary is held to be entitled for making payment, by passing a favourable order, there is no body to make the payment, as the second respondent had become defunct. Therefore, the issue was rendered academic.

4. Since, the Full Bench of this Court had closed the aforesaid reference by taking note of the aforesaid mentioned facts, the cause in the Writ Petition does not survive for consideration and thus, the Writ Petition has become infructuous.

5. Accordingly, this Writ Petition is closed as infructuous. No costs.

03.06.2026

Index : Yes/No
Speaking order : Yes/No
dna
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T.VINOD KUMAR, J.

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