



WEB COPY

WP No. 7208 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 7208 of 2026

J.Lawrence Raj
No.1, 14th Street,
B.V.Nagar, Nanganallur,
Chennai- 600 061.

..Petitioner(s)

Vs

1. The Registrar
Co-Operative Societies,
M.V.Natarajan Maaligai,
170, Poonamallee High Road,
Kilpauk, Chennai-010.
2. The Joint Registrar/ Managing Director
Triplicane Urban Co-Operative Society Ltd.
(TUCS), No.156, Big Street,
Chennai-05.

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondents to pay the subsistence allowance for the entire period of suspension from 21.07.2017 to 21.03.2019, being the date of termination, together with interest at the rate of 24 percent per annum.

For Petitioner(s):

Ms.N.Beulah John Selvaraj

For Respondent(s):

Mr.K.Tamivendan, Government Advocate

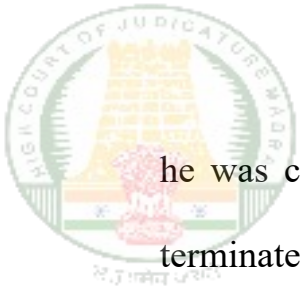


ORDER

The petition has been filed for a mandamus directing the respondents to pay the subsistence allowance for the entire period of suspension from 21.07.2017 to 21.03.2019 with interest at the rate of 24 percent per annum.

2. It is the contention of the petitioner that he had joined services of the second respondent Society on 31.10.2009 as Sales Distributor and was attached to the Triplicane Fair Price Shop. The petitioner would submit that he was very diligent in performing all his duties and during an inspection conducted by the respondents in the year 2017, certain allegations were made that the petitioner had sold essential commodities without making corresponding entries in the ration cards and the quantities in excess of the prescribed scale were supplied. On the basis of this inspection, the excess value of Rs.5,231.85/- was found and the second respondent issued a charge memo dated 22.05.2018, as a result of which, the petitioner was placed under suspension with effect from 21.07.2017.

3. After the petitioner had submitted his explanation, the impugned order dated 21.03.2019 came to be passed terminating the petitioner from service. A domestic enquiry was initiated and an enquiry was conducted and an order was passed mechanically in a predetermined manner. The petitioner would submit that neither he was given an opportunity to represent his case in the enquiry nor



he was called upon to remit the amounts. But, the respondents proceeded to terminate the service of the petitioner. The petitioner had sent representations for which there is no response till date. Therefore, it is the contention of the petitioner that during the interregnum period, he is entitled to the subsistence allowance which has not been given to him.

4.The learned counsel appearing for the respondents conceded the fact that the subsistence allowance was not paid to the petitioner for the period of suspension. But, it is the contention of the respondents that till date, the alleged sum of Rs.25,000/- is not paid by the petitioner to the respondents.

5.Heard the learned counsel on either side and perused the materials available on record.

6.From the arguments, it is clear that the petitioner was not given the subsistence allowance from 21.07.2017 to 21.03.2019 and this fact is not even disputed by the respondents. Therefore, the respondents are directed to pay the subsistence allowance for the entire period of suspension from 21.07.2017 to 21.03.2019 with interest at the rate of 6 percent per annum. It is made clear that after the entire amount being settled to the petitioner and on the receipt of the same, the petitioner shall pay the aforesaid sum of Rs.25,000/- without prejudice to his defence.



With the above directions, this writ petition stands allowed. No costs.

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04-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssa

To

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2.The Joint Registrar/ Managing Director
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