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W.P.No.50681 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM :

THE HONOURABLE MR JUSTICE M.DHANDAPANI

W.P.No.50681 of 2025

C.Maadhu

.... Petitioner

Vs

1.The Assistant Director of Town Panchayat,
Cuddalore District, Cuddalore.

2.The Executive Officer,
Bhuvanagiri Town Panchayat,
Melbhuvanagiri,
Bhuvanagiri Post and Taluk,
Cuddalore District, Pin - 608601

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to pay 50 % of the petitioner's basic pay with DA and HRA for the first three months commencing from 26.06.2024 and 75 % with DA and HRA from the 4th month i.e., from 26.10.2024, till the completion of six months and in full from 7th month commencing from 26.12.2024 from the date on which the petitioner was suspended from his service.

For Petitioner : Mr.S.T.P.Kuilmozhi

For Respondents : Mr.C.Selvaraj

Additional Government Pleader



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ORDER

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This Writ Petition has been filed seeking a direction to the 2nd to pay 50 % of the petitioner's basic pay along with DA and HRA for the first three months commencing from 26.06.2024,; 75 % with DA and HRA from the 4th month i.e., from 26.10.2024 , till the completion of six months and full salary with DA and HRA from the 7th month commencing from 26.12.2024, from the date on which the petitioner was placed under suspension from service.

2.The case of the petitioner is that he entered into service as a Sanitary Worker in the office of the 2nd respondent and rendered unblemished service for a period of 33 years. During March 2020, the petitioner's mental stability was seriously affected, and he availed leave by making an oral request before the then Executive Officer and the Superintendent. Thereafter, the petitioner moved to Chinna Salem, where his aged mother resides, as there was no one else to take care of him, and he was undergoing continuous treatment for his mental illness. After recovering from his illness, the petitioner approached the 2nd respondent and sought for permission to rejoin duty; however, the same was refused. In the meanwhile, on 20.05.2022, the 2nd respondent issued a memo calling



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upon the petitioner to submit his explanation for unauthorised absence from duty and granted 10 days time for submitting his explanation. Again on 20.05.2022, another memo was issued granting three days' time to submit his explanation. Due to poor mental health, the petitioner was unable to submit his explanation within the stipulated time. After recovering from his illness, the petitioner approached the 2nd respondent and sought permission to rejoin duty, however, the same was refused. Subsequently, on 26.06.2024, the 2nd respondent placed the petitioner under suspension with immediate effect. On 30.06.2024, the petitioner attained the age of superannuation. On the same day, the 2nd respondent retained the petitioner in service, and denied him permission to retire. Aggrieved by the said orders, the petitioner submitted a representation to the 1st respondent on 17.05.2025, which is still pending. Till date, the 2nd respondent has failed to sanction and pay the subsistence allowance to which the petitioner is legally entitled. Hence the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the 2nd respondent to consider the petitioner's representation within a reasonable time.



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4.The learned Additional Government Pleader appearing for the respondents would submit that the 2nd respondent will consider the petitioner's representation and pass appropriate orders within a reasonable time to be fixed by this Court.

5.Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 17.05.2025 on merits and in accordance with law and pass appropriate orders, within a period of six (6) weeks from the date of receipt of a copy of this order,

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

05.01.2026

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
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To:

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Cuddalore District, Cuddalore.

2.The Executive Officer,
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Bhuvanagiri Post and Taluk,
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M.DHANDAPANI ,J.

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