

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

TUESDAY, THE TWENTY SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE SMT JUSTICE P. MADHAVI DEVI

WRIT PETITION NO: 34055 OF 2022

Between:

G.Satyamma, W/o Mahipal Reddy Aged 48 years Occ . Town Mission Coordinator
(Under suspension) O/o Commissioner Municipal Corporation, Ramagundam,
Peddapalli District

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary to Government
Municipal Administration Department Telangana Secretariat, Hyderabad 500 022
2. The Commissioner, Municipal Corporation, Ramagundam Peddapalli District
3. The Project Director, Mission for Elimination of Poverty in Municipal Area
(MEPMA) Karimnagar

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of a Writ of Mandamus declaring the action of respondents in issuing the Notice vide Proc No.A1/Bank Linkage/2019-1 dated 31/03/2022 calling for explanation without providing relevant documents for giving explanation and not releasing the subsistence allowance from that date of suspension per Sec. 8.2 (vi) of HR Policy to Mission for Elimination of Poverty in Municipal Areas (MEPMA) employees as unjust, arbitrary and violative of Articles 21 and principles of natural justice and consequently direct the respondents to release the subsistence allowance

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the

respondents to furnish the relevant documents by considering her explanation dated 06/04/2022, pending disposal of the above writ petition

Counsel for the Petitioner: SMT. B. RAJESWARI

**Counsel for Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION &
URBAN DEVELOPMENT**

**Counsel for Respondent Nos. 2 & 3: SRI N. RAMU
(SC FOR MUNICIPAL CORPORATIONS
NIZAMABAD AND KHAMMAM)**

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

W.P.No.34055 of 2022

ORDER:

This Writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents in issuing the Notice Vide Proc No.A1/Bank Linkage/2019-1 dated 31.03.2022 calling for explanation without providing relevant documents for giving explanation and not releasing the subsistence allowance from the date of suspension as unjust and arbitrary and consequently, to direct the respondents to release the subsistence allowance to the petitioner.

2. The learned Counsel for the petitioner submits that after filing of this Writ petition, the relevant documents have been supplied to the petitioner but the subsistence allowance has not been paid to the petitioner from the date of her suspension i.e., on 19.08.2020 till date.

3. The learned Counsel representing the Respondents filed the counter affidavit of the respondents wherein it is stated that the subsistence allowance is not being paid to the petitioner as she has not submitted a certificate that, she is not engaged in any other employment etc., during the period for which the claim relates to.
4. The learned Counsel for the petitioner submits that the respondents are not allowing the petitioner to enter into the premises therefore; she was unable to file the certificate as required by the respondents to release subsistence allowance.
5. In view of the above submissions of both the parties, this Court deems it fit and proper to direct the respondents to permit the petitioner to enter its premises and to submit the certificate as required by them and the petitioner shall submit the same within a period of one week from the date of receipt of the copy of this order and on furnishing of such certificate, the respondents shall pay the subsistence allowance for the entire suspension period within one week thereafter, in accordance with law.

6. The writ petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall also stand closed.

//TRUE COPY//

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary to Government Municipal Administration Department, State of Telangana, Telangana Secretariat, Hyderabad 500 022
2. The Commissioner, Municipal Corporation, Ramagundam Peddapalli District
3. The Project Director, Mission for Elimination of Poverty in Municipal Area (MEPMA) Karimnagar
4. One CC to Smt. B Rajeswari Advocate [OPUC]
5. One CC to Sri N. Ramu, SC for Municipalities(OPUC)
6. Two CCs to GP For Municipal Administration & Urban Development, High Court for the State of Telangana. [OUT]
7. Two CD Copies
8. One Spare Copy

MBC

27/5/22

HIGH COURT

DATED:27/09/2022



ORDER

WP.No.34055 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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26/10/22
Hv4