

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2015

CORAM :

The Hon'ble Mr.Justice D.Hariparanthaman

Writ Petition No.11903 of 2015

and

M.P.Nos.1 and 2 of 2015

K.Chellamani

... Petitioner

Vs.

1. The Managing Director,
The Tamil Nadu State Marketing Corporation Ltd.,
IV Floor, CMDA Tower - 2,
Egmore, Chennai - 600 008.

2. The District Manager,
The Tamil Nadu State Marketing Corporation Ltd.,
IMFL Depot, TASMAL Ltd.,
Ooty, Nilgiris District.

... Respondents

Prayer : Writ Petition, filed under Article 226 of the Constitution of India seeking for issuance of Writ of Certiorarified Mandamus to call for records of the second respondent in the proceedings, dated 10.05.2012, issued vide Na.Ka.C.No.049/2012RV, and to quash the same and consequently, to direct the respondents to reinstate the petitioner in service.

For Petitioner : Mr. B.K.Girishneelakantan
For Respondents : Mr.S.Muthuraj
(for TASMAL Cases)

सत्यमेव जयते
ORDER

Mr.S.Muthuraj, learned Standing Counsel (TASMAL) takes notice for respondents.

2. The prayer in the Writ Petition is to quash the proceedings, dated 10.05.2012, viz., the suspension order, passed by the second respondent, and consequently, to direct the respondents to reinstate the petitioner in service.

3. In this Writ Petition, though the petitioner has challenged the suspension order, dated 10.05.2012, the learned counsel appearing for the petitioner submitted that, if the Court is not inclined to quash the suspension order, then, it may be pleased to direct the

respondents to commence and complete the disciplinary proceedings within the stipulated time, as two years and 11 months have elapsed. The learned counsel also submitted that the petitioner has not been paid any subsistence allowance during the period of suspension. Hence, the learned counsel prayed that the petitioner may also be paid his subsistence allowance for the suspension period.

4. Heard both sides.

5. In view of the above facts and circumstances of the case, this Writ Petition is disposed of, by directing the respondents to complete the disciplinary proceedings based on the suspension order, dated 10.05.2012, and pass final orders within a period of six months the date of receipt of a copy of this order. The respondents are further directed to pay the arrears of subsistence allowance to the petitioner, if not paid, as alleged by the petitioner, within a period of four weeks, and thereafter, the petitioner shall be paid the subsistence allowance on or before 10th of every succeeding English Calendar month. No costs. Consequently, connected M.P. are closed.

sd

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Managing Director,
The Tamil Nadu State Marketing Corporation Ltd.,
IV Floor, CMDA Tower - 2,
Egmore, Chennai - 600 008.
2. The District Manager,
The Tamil Nadu State Marketing Corporation Ltd.,
IMFL Depot, TASMAL Ltd.,
Ooty, Nilgiris District.

+ 1 cc to M/s.B.K.Girish Neelakandan, Advocate SR 22397

+ 1 cc to M/s.S.Muthuraj, Advocate SR 22344

(co)
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