

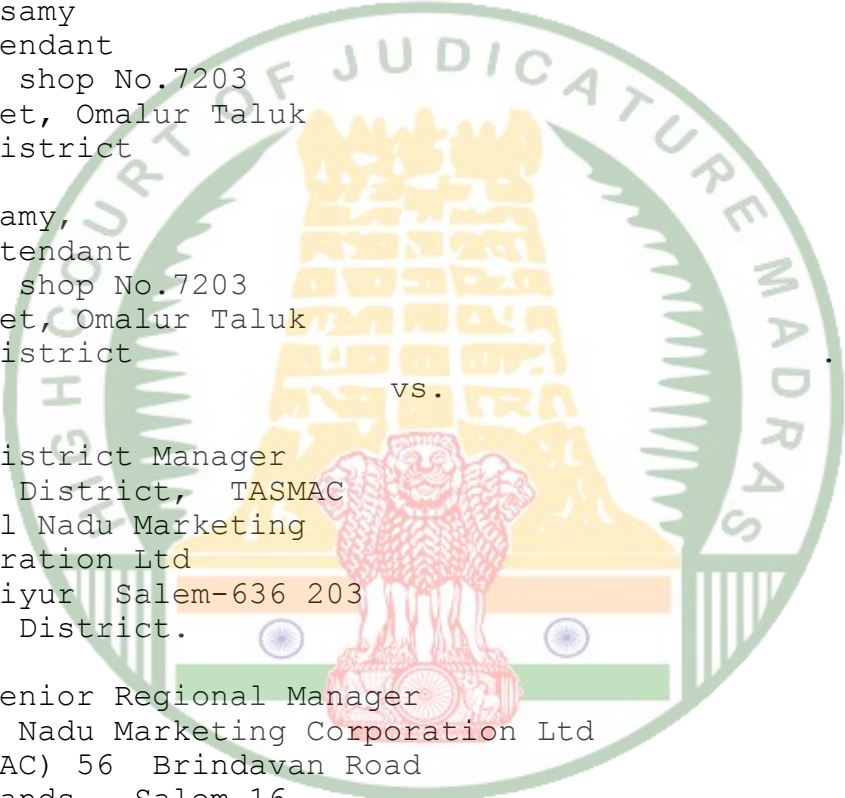
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.4.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.12517 of 2015
and
MP.Nos.1 and 2 of 2015

- 
1. V.Muthusamy
Bar Attendant
TASMAC shop No.7203
Danishpet, Omalur Taluk
Salem District
2. G.Munusamy,
Bar Attendant
TASMAC shop No.7203
Danishpet, Omalur Taluk
Salem District
- ... Petitioners
- vs.
1. The District Manager
Salem District, TASMAC
Tamil Nadu Marketing
Corporation Ltd
Santhiyur Salem-636 203
Salem District.
2. The Senior Regional Manager
Tamil Nadu Marketing Corporation Ltd
(TASMAC) 56 Brindavan Road
Fairlands, Salem-16
- ... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, Calling for the records of the first respondent in proceedings Se.Mu.Na.Ka.No.1255/A3/2013/CV dated 27/07/2013 and its consequential charge memo issued by the first respondent in Na.Ka.No.323/2011/A4/CV dated 09/06/2014 and quash the same consequently direct the respondents to reinstate the petitioners as bar attendant with continuity of service with all other attendant service and monetary benefits.

For Petitioner : Mr. M.R.Jothimanian

For Respondents : Mr.S.Muthuraj

O R D E R

With the consent of both parties, the writ petition itself is taken up for final disposal, as the issue lies in narrow compass.

2. The petitioners are employed as Bar Attendants. The petitioners were placed under suspension and charge memos were also issued to them. The petitioners have filed the present writ petition to quash the charge memo as well as the order of suspension.

3. The learned counsel for the petitioners submitted that the petitioners would be satisfied in case a direction is issued to the first respondent, the District Manager, to pay the subsistence Allowance pending Disciplinary Proceedings and to complete the Disciplinary Proceedings within a stipulated period.

4. The learned standing counsel for the respondents submitted that the respondents have no objection to complete the Disciplinary proceedings within the time to be fixed by this court. The learned Standing Counsel further submitted that the petitioner would be paid Subsistence Allowance during the currency of Disciplinary Proceedings.

5. In view of the narrow prayer now made, the first respondent is directed to pay Subsistence Allowance to the petitioners on or before 10th of every succeeding calendar month till the disposal of the Disciplinary Proceedings. The arrears of Subsistence Allowance, if any, should also be paid as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. There shall be a further direction to the first respondent to complete the Disciplinary Proceedings against the petitioners and to pass final orders within a period of four months from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ga

To

1. The District Manager
Salem District, TASMAC
Tamil Nadu Marketing
Corporation Ltd
Santhiyur Salem-636 203
Salem District.
2. The Senior Regional Manager
Tamil Nadu Marketing Corporation Ltd
(TASMAC) 56 Brindavan Road
Fairlands, Salem-16

+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.23020
+1cc to Mr.S.Muthuraj, Advocate, S.R.No.23105

W.P.No. 12517 of 2015
and
M.P.Nos.1 & 2 of 2015

RSY (CO)
CA (18/05/2015)



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