

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.02.2015

Coram

The Honourable Mr.Justice K.K.SASIDHARAN

W.P.No.2463 of 2015

and

M.P.No.1 of 2015

C.Thirunavukkarasu

.. Petitioner

vs.

1.State of Tamil Nadu,
rep.by its Secretary to Government,
Adi-Dravida and Tribal Welfare Department,
Fort St.George, Chennai-600 009

2.Tamil Nadu Adi-Dravida Housing
Development Corporation,
rep.by its Managing Director,
No.31, Cenatoph Road 2nd Cross,
Teynampet,
Chennai-600 018

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus after calling for the records from the second respondent relating to the proceedings dt.26.09.2014 bearing reference No.Sa.Mu.Annai No.A2/4621/2014 (Ex.A) and quash the same as illegal, arbitrary, unwarranted, unjustified and consequently direct the respondent to restore the petitioner back to duty together with all monetary and other benefits which the petitioner would have been entitled to had the impugned proceedings of the respondent not been passed.

For Petitioner : Mr.N.G.R.Prasad for
M/s.S.Saravana Kumar

For respondents : Mr.M.S.Ramesh,A.G.P.

ORDER

The petitioner was placed under suspension by the second respondent, vide order dated 26.09.2014. He was directed to stay at Thirunelveli during the period of suspension. The petitioner challenges the suspension order on various grounds.

2. When this writ petition came up for admission on 3.2.2015, taking into account the submission made on behalf of the petitioner, I have passed the following order:

"Though the petitioner challenges the suspension order dated 26.09.2014 on various grounds, the learned counsel for the petitioner submitted that the petitioner would be satisfied in case a direction is issued to the second respondent to review the order of suspension, pursuant to the representation dated 12.12.2014.

Mr.M.S.Ramesh, AGP takes notice on behalf of the respondents.

Post on 20.02.2015 for orders."

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents.

4. The learned counsel for the petitioner submitted that the petitioner was directed to stay at Thirunelveli, inspite of the fact that while issuing the order of suspension he was posted at Villupuram. According to the learned counsel, the petitioner has not been paid subsistence allowance ever since the date of suspension. The learned counsel therefore wanted the second respondent to review the suspension and to permit him to stay at Villupuram, besides payment of subsistence allowance.

5. The second respondent is directed to consider and dispose of the representations submitted by the petitioner dated 15.10.2014 and 12.12.2014 on merits and as per law. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. It is needless to point out that subsistence allowance should be paid to the petitioner in accordance with the relevant Rules.

6. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

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Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

msk

To

1.The Secretary to Government,
Adi-Dravida and Tribal Welfare Department,
Fort St.George, Chennai-600 009

2.The Managing Director,
Tamil Nadu Adi-Dravida Housing
Development Corporation,
No.31, Cenatoph Road 2nd Cross,
Teynampet,
Chennai-600 018

1 cc to M/s.S. Saravanakumar, Advocate, sr. 9780
1 cc to Government pleader, Sr. 9651

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MP (CO)
kk 6/3



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