



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

Writ Petition (MD) No.1574 of 2015 and
MP(MD)No.1 of 2015

Subramanian

...

Petitioner

Vs.

The Executive Officer,
Arulmigu Kadambavaneswarar Thirukovil,
Kadambar Kovil,
Kulithalai Taluk,
Karur District.

...

Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records relating to the proceedings of the respondent dated 04.02.2014 and quash the same.

For Petitioner

: Mr.R.Murali

For Respondent

: Mr.P.Athimoolapandian

ORDER

Heard the learned counsel appearing for the petitioner and Mr.P.Athimoolapandian, learned counsel who takes notice on behalf of the respondent. By consent, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner is aggrieved against the order of suspension dated 04.02.2014.

3.The grievance of the petitioner is that even though he was placed under suspension on 04.02.2014 and a charge memo was also issued on the same day fixing seven charges against the petitioner, so far the respondent has not conducted enquiry and passed final orders in the disciplinary proceedings. It is the further grievance of the petitioner that he was not paid subsistence allowance so far.

4.The petitioner was placed under suspension on 04.02.2014 based on certain allegations. As it is stated that subsequent to the order of suspension, a charge memo was also issued on the same day, it is for the respondent to conduct enquiry and pass final orders on the charges levelled against the petitioner. Therefore, this Court, at this stage, is not inclined to express any view on the merits and contentions raised by the respective parties. As it is stated that the petitioner is



not paid subsistence allowance during the period of suspension, needless to say that such subsistence allowance has to be paid to the petitioner, if he is entitled to the same as per law.

5. Accordingly, this writ petition is disposed of with a direction to the respondent to complete the disciplinary proceedings and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that the respondent shall pay subsistence allowance to the petitioner during the period of suspension, if the same is not paid to the petitioner so far. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub-Assistant Registrar

To

The Executive Officer,
Arulmigu Kadambavaneswarar Thirukovil,
Kadambar Kovil,
Kulithalai Taluk,
Karur District.

+One cc to Mr.M.Suresh Kumar, Advocate, SR.No.6425

+One cc to The Special Government Pleader, SR.No.6235

sms

RL/4 c- 20/2/2015

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