



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:07.01.2015
CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

W.P.(MD)No.18394 of 2014
and
M.P(MD)Nos.1 and 2 of 2014

R.Rajkumar ... Petitioner

Vs.

The District Manager,
TASMAC Limited,
Nanjikottai Road,
Thanjavur Town and District. ... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order in Na.Ka.No.7933/RV-2/2014, dated 15.03.2014 passed by the respondent and quash the same.

For Petitioner : Mr.V.Achuthan
For Respondent : Mr.M.Muniyasamy

O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent.

2. In this Writ Petition the petitioner challenges the order of suspension dated 15.03.2014. A perusal of the said order would show that the petitioner was placed under suspension based on certain allegations. It is the case of the petitioner that no enquiry was conducted so far and on the other hand the petitioner is placed under suspension continuously and he has not been paid his subsistence allowance.

3. Under similar circumstances in respect of the very same TASMAC employees, this Court has passed orders in W.P(MD)No.19881 of 2013, dated 10.12.2013, directing the respondent to complete the disciplinary proceedings within three months and to pay subsistence allowance to the petitioners therein till the final orders are passed in the disciplinary proceedings. It was also made clear that if no such disciplinary proceedings are conducted and final orders are passed within the time stipulated, the petitioners therein are entitled to be reinstated into service immediately thereafter.

4. By following the said order, this Writ Petition is also disposed of as follows.

a) *It is open to the respondent to initiate disciplinary proceedings against the petitioner and if any such proceedings is initiated, the same shall be completed and final order shall be passed within a period of three months from the date of*



receipt of a copy of this order.

b) The petitioner shall be paid subsistence allowance from the date of suspension till the respondent passes the final orders in the disciplinary proceedings.

(c) If the respondent does not initiate any disciplinary proceedings as stated supra and pass final orders within the time stipulated, the petitioner is entitled to be reinstated into service immediately thereafter.

Consequently, connected miscellaneous petitions are closed. No Costs.

Sd/-

Assistant Registrar(Crl.side)

\\True copy\\

Sub Assistant Registrar

To

The District Manager,
TASMAC Limited,
Nanjikottai Road,
Thanjavur Town and District.

+1 CC TO M/S.V.ACHUTHAN, ADVOCATE SR.NO.660

W.P. (MD) No.18394 of 2014
07.01.2015

PM

NA/22/01/2015/P2/3C