



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.2512 of 2015
and
M.P.(MD)No.1 of 2015

M.Raja

... Petitioner

Vs.

The District Manager,
Tamil Nadu State Marketing Corporation
(TASMAC) Ltd., Thanjavur District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent vide his proceedings in Na.ka.No.7909/2013/RV2 dated 29.09.2013 and quash the same as illegal and consequently to direct the respondent to reinstate the petitioner into service and pass any other orders as this Court may deem fit and proper in the circumstances of the above case.

For Petitioner : Mr.P.R.Prithiviraj
For Respondent : Mr.M.Muniyasamy

ORDER

Heard the learned counsel appearing for the petitioner and Mr.M.Muniyasamy, learned counsel who takes notice for 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 29.09.2013. The petitioner was working as a salesman in the liquor shop run by the respondent Corporation. He was placed under suspension through the impugned order on an allegation that there was shortage in account to the tune of Rs.1,36,145/-.

3.The grievance of the petitioner is that even though he was placed under suspension as early as on 29.09.2013, till this date, the respondent has not conducted any enquiry and passed final orders. It is his further grievance that the subsistence allowance payable to the petitioner has also not been paid so far.



4.Considering the nature of allegation made against the petitioner while passing the impugned order of suspension, this Court is not inclined to interfere with the said order. However, as the petitioner is under suspension from 29.09.2013 onwards, it is for the respondent to complete the disciplinary proceedings and pass final orders without any further delay.

5.Accordingly, the 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 subsistence allowance payable to the petitioner would be paid, if the same has not been paid so far. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub-Assistant Registrar

To

The District Manager, Tamil Nadu State Marketing Corporation (TASMAC) Ltd., Thanjavur District.

+1cc to Mr.P.R.Prithiviraj, Advocate, in SR. No.8919.

Writ Petition (MD) No.2512 of 2015
and M.P.(MD)No.1 of 2015
26.02.2015

sms

msm 10.03.2015 p2/3c