

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.05.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN

W.P.No.17610 of 2016

and

WMP.No.15235 of 2016

M. Velu

...Petitioner

Vs.

1. The President,
C-1247, Kaniyanoor Primary Agricultural Co-operative Bank,
Kaniyanoor Village, Arcot Taluk,
Vellore District.
 2. The Secretary,
C-1247, Kaniyanoor Primary Agricultural Co-opeartive Bank,
Kaniyanoor Village, Arcot Taluk,
Vellore District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the 1st respondent order dated 17.12.2015 and consequently issue direction to the respondents to pay the surrender leave salary, the remaining 50% salary for the suspension period from 01.08.2015 to 29.10.2015, from 30.10.2015 to 06.11.2015 the remaining 25% salary, 6% Dearness allowance, earned leave, Travel Allowance and the annual increment amount from October 2015.

सत्यमेव जयते

For Petitioner : Mr.P.Krishnan

For Respondents : Mrs. T.P.Savitha
Government Advocate

ORDER

The petitioner has filed this writ petition seeking to quash the impugned order passed by the 1st respondent order, dated 17.12.2015 and consequently, to direct the respondents to pay the surrender leave salary, remaining 50% of the salary for the

suspension period, the remaining 25% salary, 6% Dearness allowance, earned leave, Travel Allowance and the annual increment amount from October 2015.

2. The case of the petitioner is that he has been appointed as a Salesman at C-1247 Kaniyanoor Primary Agricultural Cooperative Bank, Kaniyanoor, on 01.02.1999, and thereafter, he was transferred from the said Cooperative Bank to T.Pudur, Pindithangal and Nambithangal Co-operative PDS shops. Again, by order, dated 01.07.2015, the petitioner was transferred to some other Shop. Since the petitioner has not been relieved from the previous Shop, he did not take charge of the Shop, where, he has been transferred. Therefore, the petitioner was suspended from service on 01.08.2015. Subsequently thereafter, the petitioner was reinstated into service on 06.11.2015, but during the suspension period, he has not been paid any allowances. Seeking the same, the petitioner made a representation to the first respondent on 05.12.2015. On receipt of such representation, the order was passed by the first respondent on 17.12.2015, granting only 75% of the salary allowances. Hence, this Writ Petition.

3. Though the petitioner seeks to quash the impugned order, dated 17.12.2015, today, when the Writ Petition is taken up, the learned counsel for the petitioner submitted that it would be suffice if a direction is issued to the first respondent to consider the representation to be made by the petitioner in this regard.

4. In view of the above submission made by the learned counsel for the petitioner, without going into the merits of the case, the Writ Petition is disposed of, directing the petitioner to submit a representation to the first respondent with regard to disbursement of salary and other allowances to which, he is entitled to, within a period of two weeks from the date of receipt of a copy of this order, and on receipt of such representation, the first respondent shall consider and pass appropriate orders, within a period of two weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The President

C-1247, Kaniyanoor Primary Agricultural Co-operative Bank,
Kaniyanoor Village, Arcot Taluk,
Vellore District.

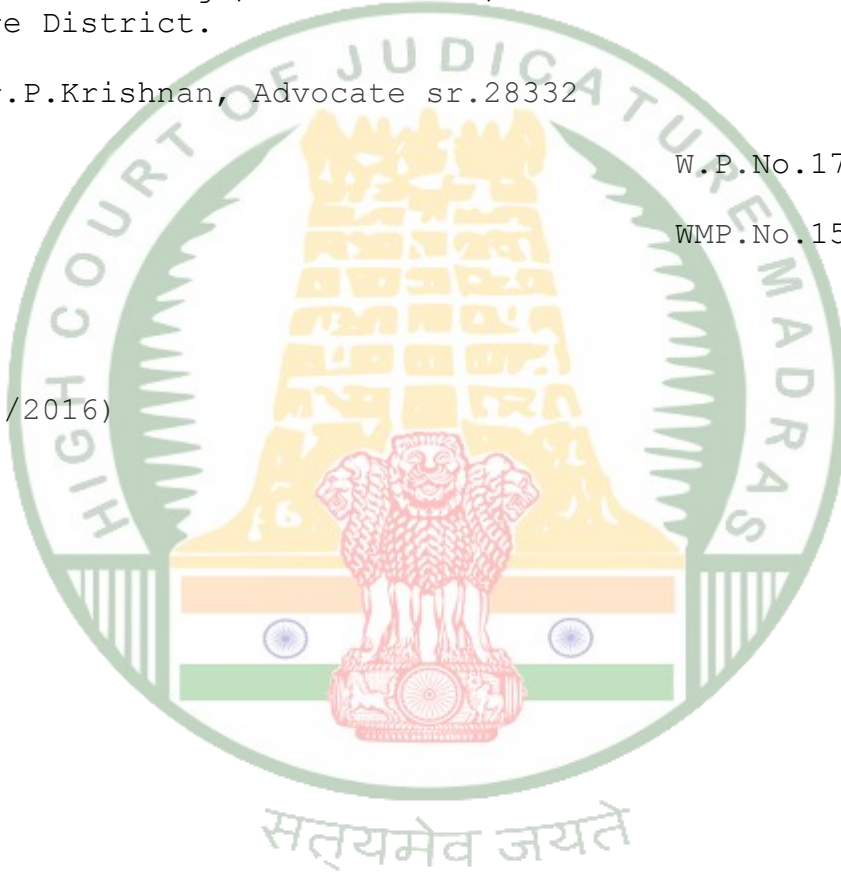
2. The Secretary,

C-1247, Kaniyanoor Primary Agricultural Co-opertive Bank,
Kaniyanoor Village, Arcot Taluk,
Vellore District.

+1cc to Mr.P.Krishnan, Advocate sr.28332

W.P.No.17610 of 2016
and
WMP.No.15235 of 2016

kk(CO)
srg (23/05/2016)



WEB COPY