



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.03.2016

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.5349 of 2016

and

W.M.P (MD) No.4808 of 2016

K.Devendran

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent in Na.Ka.26(7826)/2016/RV-2, dated 01.02.2016 and to quash the same and consequently directing the respondent to reinstate the petitioner in service.

For Petitioner : Mr.S.Rajaprabu

For Respondent : Mr.C.Kasirajan

ORDER

Mr.C.Kasirajan, learned counsel takes notice for the respondent.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner is challenging the order of suspension issued by the respondent.

4. The case of the petitioner is that he has been working as salesman in TASMAC shop No.7826 at Madathu Street, Kumbakonam, Thanjavur District. On certain allegations, suspension order came to be passed on 01.02.2016 suspending four employees including the petitioner herein. Thereafter, no charge-memo had been issued and no enquiry had been conducted. Hence, the petitioner has come forward with the present Writ Petition challenging the suspension order.

5. Once a suspension order is issued, it has to be followed by a charge memo and enquiry. Till today, charge-memo has not been issued. Hence, it is open to the respondents to continue the disciplinary proceedings by issuing charge-memo at the earliest and complete the enquiry within a period of three months from the date of receipt of a copy of this order and in the meanwhile, the petitioner shall also be paid subsistence allowance from the date of suspension till the final orders are passed.



With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

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Sub Assistant Registrar

To

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

+1cc to M/s.S.Rajaprabhu, Advocate Sr.No.15172

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