



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.6263 of 2016

and

W.M.P(MD)Nos.5502 and 5503 of 2016

R.Kamaraj

... 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 respondent in Na.Ka.No.26(8166)/RV-2/2016 dated 01.02.2016 and quash the same as illegal in so far as the petitioner herein is concerned and consequently to direct the Respondent to reinstate the petitioner into service.

For Petitioner : Mr.C.Jeyaprakash

For Respondent : Mr.C.Kasirajan

## ORDER

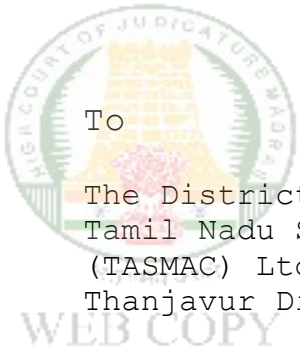
The petitioner is challenging the order dated 01.02.2016 which is a temporary suspension of the petitioner along with two others for certain irregularities committed in course of his employment. Since it is only an order of suspension, he has to wait for the charge memo to be served on him and thereafter, he has to file his explanation and subject to the acceptance of the same, either an Enquiry Officer may or may not be appointed. Therefore, it is premature for the petitioner to approach this Court immediately after the receipt of the order of temporary suspension. Since no charge memo is issued from the date of suspension, the respondent is directed to issue charge memo within a period of four weeks from the date of receipt of a copy of this order. As the order impugned does not speak about the payment of subsistence allowance to the petitioner who is kept under suspension, the petitioner shall be paid subsistence allowance from the date of his suspension till the date of the final order being passed in the proceedings.

5.With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P(MD)Nos.5502 and 5503 of 2016 are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/



To

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

+1cc to Mr.C.Jeyaprakash, Advocate SR.No.17928

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