



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.6327 of 2016andW.M.P(MD)Nos.5553 and 5554 of 2016

T.Senthil Kumar

... 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, to call for the records relating to the impugned order passed by respondent in Na.Ka.No.7939/RV-2/2016 dated 16.02.2016 and quash the same as illegal in so far as the petitioner 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 an employee of the respondent Corporation who has been suspended from service on 16.02.2016 which order is now under challenge.

2.It is a settled principle that any order of suspension should be followed with charge memo and enquiry and it should be completed within three months. The impugned order is also silent about the payment of subsistence allowance to the suspended employee.

3.Learned counsel for the Corporation undertakes to complete the enquiry after serving the charge memo on the delinquent employee within four weeks and to pay the subsistence allowance to the delinquent.

4.Recording the same, the respondent Corporation is directed to complete the disciplinary proceedings by issuing charge memo and conducting enquiry within a period of four weeks from the date of receipt of copy of this Court. It is needless to mention that the respondent shall pay subsistence allowance to the petitioner from the date of suspension till the date of final orders passed in the disciplinary proceedings.

5.With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P(MD)Nos.5553 and 5554 of 2016 are closed.

Sd/-

Assistant Registrar(CSII)



To

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

+One cc to Mr.C.Jeyaprakash, Advocate, SR.No.17930

RL/3C/2P/GSV/PM/21/4/2016

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