



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2016

CORAM:

WEB COPY THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No. 7565 of 2016

and

WMP (MD) No. 6328 of 2016

M.Madhavan

... Petitioner

Vs.

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

... 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 relating to the impugned order passed by the respondent in Na.Ka.No.26(8092)/RV-2/2016, dated 01.02.2016 and quash the same as illegal insofar 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.M.Muniyasamy

ORDER

Mr.M.Muniyasamy, 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. The petitioner was placed under suspension based on certain allegations. Therefore, it is for the authorities to conduct an enquiry and pass final orders.

4. In view of the above, this Court is not expressing any view on the merits and the contention raised by the petitioner in respect of the allegations, at this stage. As the suspension order came to be passed on 01.02.2016 and this Court under similar circumstances had already directed the authorities to complete the disciplinary proceedings and pass final orders, within a period of

three months, this Court passes the following order:

(a) It is open to the respondent to initiate disciplinary proceedings against the petitioner and if any such proceedings is initiated, the same shall be completed and final order shall be passed within a period of three months from the date of receipt of a copy of this order;

(b) The petitioner shall be paid subsistence allowance from the date of suspension till the respondent passes the final orders in the disciplinary proceedings; and

(c) If the respondent does not initiate any disciplinary proceedings as stated supra and pass final orders within the time stipulated, the petitioner is entitled to be reinstated into service immediately thereafter.

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

Sd/-

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

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

+one cc to M/s.C.Jeyaprakash, Advocate in SR.NO.21774

pm

CSL/JGB-DP/05.05.2016 : 2p/3c

W.P(MD)No.7565 of 2016

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