



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2016

CORAM :

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.8530 of 2016
and
W.M.P (MD) Nos.6843 and 6844 of 2016

R.David Sagayaraj

... Petitioner

Vs.

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

... Respondent

Prayer : 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.7932/2016/RV 2 dated 24.03.2016 and quash the same as illegal and consequently to direct the Respondent to reinstate the petitioner into service.

For Petitioner : Mr.C.Jeyaprakash

For Respondent : Mr.C.Kasirajan

ORDER

The case of the petitioner is that he has been working as salesman in TASMAC and on certain allegations, suspension order came to be passed on 24.03.2016. Thereafter, no charge memo had been issued and no enquiry had been conducted. Hence, the petitioner has come up with the above writ petition.

2.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 meantime the petitioner shall also be paid subsistence allowance from the date of suspension till the final orders are passed.



3.The writ petition is accordingly disposed of. No costs. Consequently, W.M.P(MD)Nos.6843 and 6844 of 2016 are closed.

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Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

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

+1cc to Mr.C.Jeyaprakash, Advocate, Sr.No.25121

sms

JM/GSV-MP/11.05.2016/2P-3C

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