



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.06.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.9768 of 2016

and

WMP(MD)No.7736 of 2016

B.R.Arulprakasam

.. Petitioner

vs.

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

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the respondent in Na.ka.No.8040/RV-2/2016, dated 26.04.2016 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

This Writ Petition has been filed by Mr.B.R.Arulprakasam, who has been placed under Suspension vide order, dated 26.04.2016 for various allegations, has come to this Court with a complaint that after suspension, the respondent neither issued charge-memo nor paid the subsistence allowance to the petitioner and therefore, prayed for quashing of the impugned order of suspension and for a consequential direction to reinstate the petitioner into service.

2. The learned counsel appearing for the respondent Corporation would submit that no doubt the petitioner was placed under suspension by the impugned order, dated 26.04.2016, but payment of subsistence allowance was not made due to administrative reasons, however, such payment would be made as expeditiously as possible. He would further submit that with regard to holding of enquiry, steps would be taken to conduct enquiry and in this regard, he has also produced a copy of the order of this Court, dated 11.08.2015 passed in W.P(MD)Nos.14300 and 14320 of 2015, wherein while entertaining a similar issue, finding that the petitioners therein were not paid with the subsistence allowance, I have directed the respondents therein to initiate the departmental proceedings by issuing notice inviting the petitioners to submit their explanation. Therefore, the same direction will be applicable to



the parties herein.

3. Accordingly, the respondent is hereby directed to initiate departmental proceedings and pass final orders on merits and in accordance with law, without delay, after issuing notice calling for explanation from the petitioner. In the meanwhile, the respondent shall pay subsistence allowance to the petitioner from the date of suspension including arrears, within a period of one week from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/TRUE COPY/

Sub Assistant Registrar

To

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

+1cc to Mr.C.Jeyaprakash, Advocate SR NO: 28513
JA/NGM-MP/SAR.III/09.6.2016/2P-3C

W.P. (MD) No.9768 of 2016
03.06.2016