

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.01.2018

Coram

The Honourable Mr.Justice T.RAJA

W.P.No.956 of 2018

A.Senthil Kumar

.. Petitioner

-vs-

1.The General Manager,
Tamilnadu State Transport Corpn.
(Coimbatore) Ltd.,
Coimbatore 641 043.

2.The Branch Manager,
Tamilnadu State Transport Corpn.
(Coimbatore) Ltd., Sungam-1,
Coimbatore District.

3.The Assistant Manager (Legal-2)
Tamilnadu State Transport Corpn.
(Coimbatore Ltd.) Coimbatore 641 043.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent to pay full salary for the suspension period from 04.08.2017 to 21.08.2017 to the petitioner.

For Petitioner : Mr.Ezhilraj

For Respondent : Mr.R.S.Selvam
Stdg. Counsel

O R D E R

This writ petition has been filed by Mr.A.Senthil Kumar, who is serving as a conductor in the Transport Corporation of the second respondent, seeking mandamus directing the respondents to pay full salary for the suspension period from 04.08.2017 to 21.08.2017.

2.Learned counsel appearing for the petitioner would submit that the petitioner was placed under suspension on 04.08.2017. Pursuant to a representation being made by the petitioner seeking revocation, the order of suspension was revoked on 21.08.2017. But, it is contended that the respondents have not

come forward to pay the full salary for the period the petitioner underwent the suspension.

3.Opposing the above prayer, the learned Standing Counsel appearing for the respondents, urging this Court to dismiss the writ petition, submitted that when the petitioner was paid with subsistence allowance for the period of suspension underwent, he is not entitled to get at this stage full salary for the period of suspension, for the reason that enquiry initiated against the petitioner is still pending consideration and not yet been over.

4.Admittedly, when the enquiry initiated against the petitioner has not even come to an end, it is not known how the petitioner can claim full salary. Therefore, this Court, finding no merit whatsoever in the writ petition, is not inclined to entertain the same.

The writ petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The General Manager,
Tamilnadu State Transport Corpn.
(Coimbatore) Ltd.,
Coimbatore 641 043.
- 2.The Branch Manager, सतयमेव जयते
Tamilnadu State Transport Corpn.
(Coimbatore) Ltd., Sungam-1,
Coimbatore District.
- 3.The Assistant Manager (Legal-2)
Tamilnadu State Transport Corpn.
(Coimbatore Ltd.) Coimbatore 641 043.

+ 1 cc to Mr.R. S. Selvam, Advocate Sr.3854

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KJI(CO)
EU(08/02/2018)