



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.17399 of 2021
and
W.M.P.No.18460 of 2021

(Through Video Conferencing)

B.Chandaravelavan

...Petitioner

Vs

The District Collector,
Chengalpattu.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent Na.Ka.No.356/2021/Sa.U.Thi/A1 dated 17.07.2021 and quash the same and direct the respondent to reinstate the petitioner in service with all attendant benefits.

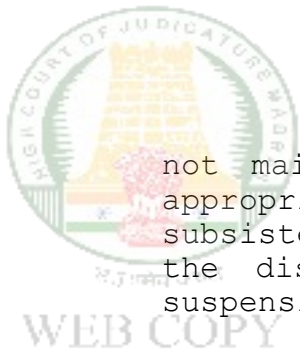
For Petitioner : Mr.P.Manoj Kumar
For Respondent : Mr.V.P.R.Elamparithi
Government Advocate

ORDER

The petitioner has filed this writ petition for a Certiorarified Mandamus, to call for the records of the respondent in his proceedings in Na.Ka.No.356/2021/Sa.U.Thi/A1 dated 17.07.2021 and quash the order passed by the respondent and direct the respondent to reinstate the petitioner in service with all attendant benefits.

2. The learned counsel for the petitioner submits that the reasons for suspension of the petitioner is alleged failure of the petitioner to supply of dry foods and eggs to the children in the Noon Meal Centre based on enquiry of the Personal Assistant to the Collector. The learned counsel for the petitioner further submits that there is no merits and no enquiry was conducted before suspending the petitioner and no subsistence allowances have been paid to the petitioner till date.

3. Defending the impugned order, the learned Government Advocate for the respondent submits that the writ petition is



not maintainable and is premature. He further submits that appropriate charge memo will be issued to the petitioner and subsistence allowances also will be paid till the completion of the disciplinary proceedings or till the revocation of the suspension order.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

5. The petitioner has been placed under suspension only on 17.07.2021. The respondent is therefore duty bound to pay the subsistence allowances to the petitioner.

6. Considering the nature of allegations contained in the impugned order, the respondent is directed to issue appropriate charge memo, if any, within a period of four weeks from today and endeavour to complete the disciplinary proceedings within a period of six months thereafter.

7. The petitioner shall be entitled to subsistence allowances during the currency of the impugned suspension order. In case, the respondent fails to issue a charge memo within the aforesaid period, the petitioner shall be directed to report his duty and full salary shall be paid to the petitioner.

8. This Writ Petition stands disposed with the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

arb
To

The District Collector,
Chengalpattu.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.42258
+1cc to the Government Pleader, S.R.No.42630

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SSV[co]
NSK 09/09/2021