



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21446 of 2021
and
W.M.P.No.22687 of 2021
(Through Video Conferencing)

P.Kajamoideen

... Petitioner

Vs

- 1.The State of Tamil Nadu,
Represented by Principal Secretary to Government,
Department of Fisheries and Animal Husbandry,
Secretariat, Chennai - 600 009.
- 2.The Director/Commissioner of Fisheries,
Fisheries Department,
Nandanam, Chennai - 600 035.
- 3.The Managing Director/
Additional Director of Fisheries,
Tamil Nadu State Apex Fisheries
Co-operative Federation Limited.,
(TAFCOFED),
Nandanam, Chennai - 600 035.
- 4.The Assistant Director,
Fisheries Department,
Nagapattinam North,
Sirkhazhi, Mayiladuthurai District.
- 5.The President,
Z-214, Tharangambadi Sea Fishermen
Co-operative Society Limited,
Tharangambadi,
Nagapattinam District - 609 313.
- 6.The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

... Respondents



Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third to fifth respondents to pay the subsistence allowance to the petitioner for protecting his livelihood by considering the representation of the petitioner dated 07.04.2021 and consequently direct the third respondent to reinstate the petitioner as Junior Assistant/Diesel Salesman of the TAFCOFED/third respondent.

For Petitioner : Mr.Jothimanian
for Mr.K.Balu

For Respondents: Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the respondents.

2. Though the petitioner has filed this writ petition for a wider relief for payment of subsistence allowance during the period of suspension and consequential direction to reinstate the petitioner in the light of the various representations of the petitioner starting from 13.01.2021 up to 07.07.2021 numbering in (7), this writ petition is disposed at the time of admission by granting limited relief to the petitioner by directing the fifth respondent to pay subsistence allowance to the petitioner and the arrears thereof within a period of six weeks from the date of receipt of a copy of this order.

3. It is noticed that the petitioner was suspended pursuant to a proceedings of the fourth respondent dated 24.10.2020. However, no charge memo has been issued to the petitioner.

4. Considering the same the fifth respondent is also directed to initiate appropriate disciplinary proceedings against the petitioner for which the petitioner has been placed under suspension. This exercise shall be carried out by the fifth respondent as far as initiation of disciplinary proceedings are concerned within a period of thirty days from the date of receipt of this order.

5. The fifth respondent shall endeavour to complete disciplinary proceedings within a period of six months thereafter. In case, the disciplinary proceedings are not concluded within a period of six months, the respondents shall reinstate the petitioner into service without prejudice to the final outcome of the disciplinary proceedings.



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

WEB COPY

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

arb
To

1. The Principal Secretary,
Government of Tamil Nadu,
Department of Fisheries and Animal Husbandry,
Secretariat, Chennai - 600 009.
2. The Director/Commissioner of Fisheries,
Fisheries Department, Nandanam,
Chennai - 600 035.
3. The Managing Director/
Additional Director of Fisheries,
Tamil Nadu State Apex Fisheries
Co-operative Federation Limited.,
(TAFCOFED),
Nandanam, Chennai - 600 035.
4. The Assistant Director,
Fisheries Department,
Nagapattinam North,
Sirkhazhi, Mayiladuthurai District.
5. The President,
Z-214, Tharangambadi Sea Fishermen
Co-operative Society Limited,
Tharangambadi,
Nagapattinam District - 609 313.
6. The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.

+1cc to Mr.K.Balu, Advocate, S.R.No.52238
+1cc to the Government Pleader, S.R.No.53212

W.P.No.21446 of 2021
and
W.M.P.No.22687 of 2021

PVS (CO)
CB(27/10/2021)