



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14539 of 2019

and

WMP (MD) Nos.10994 and 10995 of 2019

WEB COPY

Jeyachitra

... Petitioner

Vs.

1. The General Manager,
Tamil Nadu State Express Transport Corporation,
Administration, Head Office,
Pallavan Salai, Chennai -02.

2. The Branch Manager,
Tamil Nadu State Express Transport Corporation,
Tirunelveli Depot -I,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned suspension order passed by the first respondent in order No. 012589/TL-1/SETC/2019 dated 19.06.2019 and quash the same and consequently direct the respondents to treat the period of suspension as on duty with pay for all purposes, with all consequential benefits and continuation of service.

For Petitioner : Mr. Niranjana S. Kumar

For Respondents : Mr. K. Sathiyaraj Singh
Standing Counsel

O R D E R

The petitioner has filed the present Writ Petition for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned suspension order passed by the first respondent in order No. 012589/TL-1/SETC/2019 dated 19.06.2019 and quash the same and consequently direct the respondents to treat the period of suspension as duty period, granting pay and all attendant benefits and continuation of service.

2. The prayer for revocation of suspension order, depends upon the outcome of the final orders to be passed on the charges framed against the petitioner. Subject to such final orders, the petitioner has to approach the authority concerned seeking for regularizing and treating period of suspension as duty period and also for continuity of service.



3. In view of the above, this Court is inclined to pass the following order:

i) the first respondent shall proceed with the enquiry and conclude the enquiry within a period of 12 weeks from the date of receipt of a copy of this order.

ii) On such enquiry report submitted by the first respondent, the second respondent shall pass final orders as expeditiously as possible without any further delay.

iii) Subject to the out come of the final order passed by the first respondent, liberty is granted to the petitioner, if necessary to approach the authority concerned, seeking the relief of regularisation and continuity of service, treating the period of suspension as duty period.

4. With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

To

1. The General Manager,
Tamil Nadu State Express Transport Corporation,
Administration, Head Office,
Pallavan Salai, Chennai -02.

2. The Branch Manager,
Tamil Nadu State Express Transport Corporation,
Tirunelveli Depot -I,
Tirunelveli.

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-28934[F] dated 14/09/2021)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-28939[F] dated 14/09/2021)

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