



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.17700 of 2020
and WMP.Nos.21938 & 21939 of 2020

M.Murugan

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
Gandhi Irwin Road,
Egmore, Chennai-8.

2.The General Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Gandhi Irwin Road, Egmore,
Chennai-8.

3.The District Manager / Deputy Collector,
Tamil Nadu State Marketing Corporation Ltd.,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the third respondent vide Na.Ka.No.420/A3/2018/CV dated 16.04.2018 and to quash the same and consequently direct the third respondent to revoke the order of suspension dated 16.04.2018 and reinstate the petitioner in service with all attendant benefits.

For Petitioner : Mr.S.Vijayakumar

For Respondents: Mr.K.Sathishkumar
Standing Counsel for TASMACH



O R D E R

The petitioner, challenging the impugned order of suspension passed by the third respondent dated 16.04.2018, has filed the present writ petition.

2. The learned counsel for the petitioner submitted that the petitioner is kept under prolonged suspension without paying any subsistence allowance and he was neither called for enquiry nor any final order was passed by the disciplinary authority and therefore, he has submitted a representation to the respondents for revocation of the order of suspension.

3. However, Mr.K.Sathishkumar, learned Standing Counsel for TASMAC submitted that enquiry was conducted and the Enquiry Officer has submitted an Enquiry Report to the Disciplinary Authority holding that charges were not proved against the petitioner, but the Disciplinary Authority is yet to pass final orders.

4. It is seen that the petitioner is kept under prolonged suspension without paying Subsistence Allowance and he is without employment for more than 5 years. It is submitted by the learned Standing Counsel for TASMAC that the Enquiry Officer has submitted the Enquiry Report to the Disciplinary Authority holding that charges were not proved against the petitioner and the Disciplinary Authority will pass final orders at the earliest.

5. In view of the above facts and circumstances, this Court directs the respondents Corporation, namely the third respondent/Disciplinary Authority to pass final orders based on the report submitted by the Enquiry Officer and also by taking into account the representation submitted by the petitioner dated 27.05.2020, as expeditiously as possible, within a period of six weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
Gandhi Irwin Road, Egmore, Chennai-8.

2.The General Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Gandhi Irwin Road, Egmore, Chennai-8.

3.The District Manager / Deputy Collector,
Tamil Nadu State Marketing Corporation Ltd.,
Salem District.

+lcc to M/s.S.Vijayakumar, Advocate Sr.11492

W.P.No.17700 of 2020

rsi[co]
srg 08/03/2022