



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. [MD] .No.6696 of 2020

W.M.P. [MD] .Nos.6058 & 6059 of 2020

M.Dharmalingam

... Petitioner

Vs.

The District Manager,
The Tamil Nadu State Marketing Corporation (TASMAC),
District Manager Office,
72-C, P-3, CIDCO Estate,
BHEL Nagar,
Thuvakudi,
Trichy-620 018.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to respondent's proceedings made in Na.Ka.No.A/2018/Ws-2/Kidangu dated 28.12.2018, quash the same and further direct him to reinstate the petitioner in service in light of the petitioner's representation dated 15.03.2020, within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.B.Jameel Arasu
Standing Counsel

O R D E R

This Writ Petition has been filed as against the order of suspension passed by the respondent in Na.Ka.No.A/2018/Ws-2/Kidangu dated 28.12.2018.

2. The learned counsel for the petitioner submits that there is no progress in the enquiry and the petitioner has been placed under suspension nearly two years. The respondent has not taken any steps to issue charge memo and conclude the departmental proceedings. Hence, the present Writ Petition has been filed.

3. Mr.B.Jameel Arasu, learned Standing Counsel appearing for the respondent submits that based on the complaint given by one P.Radhakrishnan, a case in Crime No.52 of 2018 for the offence punishable under Sections 406 and 420 of IPC has been registered on the ground that the petitioner and one Saravanan have cheated the



defacto complainant to the tune of Rs.5,00,000/-, that they would arrange job for him in the Government Department. Pursuant to which, the petitioner has been placed under suspension and on 27.09.2021, the respondent has issued the charge memo.

4. It appears that the petitioner has been placed under suspension on 26.12.2018. However, the respondent has not concluded the departmental proceedings so far. Hence, a direction is issued to the respondent to conclude the disciplinary proceedings within a period of six months from the date of receipt of a copy of this Order. It is needless to state that the petitioner is entitled for subsistence allowance for the suspension period.

5. Accordingly, this Writ Petition is disposed of. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To
The District Manager,
The Tamil Nadu State Marketing Corporation (TASMAC),
District Manager Office,
72-C, P-3, CIDCO Estate,
BHEL Nagar,
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Trichy-620 018.

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ss (CO)
TR(15.03.2022) 2P 2C