



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P. (MD) No. 11242 of 2022

and W.M.P. (MD) Nos. 8020 & 8021 of 2022

WEB COPY

A.Abimanyu

... Petitioner

/vs./

The Managing Director,
State Express Transport Corporation
Tamil Nadu Limited,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned suspension order in குறிப்பாணை எண் 003825/டிஎல் 5/அவிபோக/2022 dated 25.05.2022 issued by the respondent and quash the same and consequently direct the respondent to reinstate the petitioner treating the suspension period as duty and with all attendant benefits.

For Petitioner	:	Mr.R.Gowrishankar
For Respondent	:	Mr.K.Sathya Singh, Standing Counsel

ORDER

The petitioner herein has been placed under suspension through the impugned order dated 25.05.2022, alleging that he had invited a political party functionary for a free Eye Camp conducted by the Transport Corporation and therefore, they intend to initiate departmental proceedings against him. The Eye Camp was conducted by the "Morning Star Charitable Trust and India Vision Institute, Chennai," in which the political functionary was an Advisor of the Trust and in that capacity he has participated. The Founder and Managing Trustee of the Trust has also sent a letter to the respondent dated 25.05.2022 that the free Eye Camp at Madurai SETC depot was conducted as per the approved instruction of the SETC head office and that the petitioner herein was not in any way involved in inviting the political functionary for the free Eye Camp. Even otherwise, the allegation cannot be construed as a misconduct under the regulations of the SETC. If that be so, the proposal to conduct the departmental proceedings itself is baseless and the consequential suspension order cannot be sustained.



2. Accordingly, the impugned order dated 25.05.2022 is quashed and the Writ Petition is allowed. The respondent shall forthwith reinstate the petitioner back into service together with all service and monetary benefits, at least within a period of two days from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

vsm

To

The Managing Director,
State Express Transport Corporation
Tamil Nadu Limited,
No.2, Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.K. SATHIYA SINGH, Advocate (SR-26687[F] dated
20/06/2022)

+1 CC to M/s.R. GOWRISHANKAR, Advocate (SR-26813[F] dated
20/06/2022)

W.P.(MD) No.11242 of 2022
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MGJ(28.06.2022) 2P 4C