



W.P.Nos.5955, 5958 & 5961 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.5955, 5958 & 5961 of 2024 and
W.M.P.Nos.6610, 6611, 6616, 6617, 6619 & 6620 of 2024

W.P.No.5955 of 2024

A.Sakkarapani

...Petitioner

-Vs-

1) Tamilnadu Civil Supplies Corporation,
rep. By its Managing Director,
No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.

2) The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Thiruvannamalai Region,
Tiruvannamalai Town and District.

3) The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Chennai (South) Region,
Chennai.

...Respondents



W.P.Nos.5955, 5958 & 5961 of 2024

Prayer in W.P.No.5955 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of suspension issued by the 1st respondent in Pro.AD6/9434/2022 dated 13.07.2022 and quash the same and consequently direct the respondents to treat the period of suspension as duty period for all service and monetary benefits and pay all the monetary benefits to the petitioner.

W.P.No.5958 of 2024

G.Palanivel

...Petitioner

-Vs-

1) Tamilnadu Civil Supplies Corporation,
rep. By its Managing Director,
Kilpauk, Chennai-600 010.

2) The Regional Manager,
TNCSC, Thiruvannamalai Region,
Tiruvannamalai Town and District.

3) The Regional Manager,
TNCSC, Vellore Region,
Vellore.

...Respondents

Prayer in W.P.No.5958 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of suspension issued by the 1st respondent in Pro.AD6/9434/2022 dated 22.12.2022 and quash the



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(In all W.Ps')

For Petitioners : Mr.K.Premkumar

For Respondents : Mr.C.Selvaraj
Standing Counsel

COMMON ORDER

These writ petitions have been filed challenging the order of suspension issued by the first respondent on various dates. Therefore, issues involved in these writ petitions are one and the same. Hence, this Court inclined to pass common order.

2. The petitioners while working as Superintendent in Tamilnadu Civil Supplies Corporation, Thiruvannamalai Region. While being so, there is a complaint before the CBCID North, Thiruvannamalai and the same has been registered in Crime No.01 of 2022 for the offences under Sections 166, 167, 420 and 120(b), 465, 467, 468, 471, 409 of IPC. In pursuant to the registration of FIR the petitioners were arrested and remanded to judicial custody. Immediately, they were placed under suspension by the proceedings dated 13.07.2022 and 22.12.2022. Thereafter, the petitioners



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were served with charge memo and on receipt of the same the petitioners also submitted their explanation. So far enquiry officer have not been appointed to proceed with the disciplinary enquiry. The petitioners submitted their representations to revoke their order of suspension on the ground of prolonged delay in completing disciplinary proceedings.

3. The learned counsel for the petitioners submitted that the petitioners are entitled for subsistence allowance as per the Regulation No.18 of the Tamilnadu Civil Supplies Employees Service Regulations 1989. Accordingly, after a period of six months the petitioners entitled to have subsistence allowance remaining 50% also.

4. The subsistence allowance has paid under Regulation 18(a) to be increased by 50% after period of six months. It means that 50% of the earlier 50% subsistence allowance. Therefore, suspended employees are entitled to have 75% they are loss of pay as subsistence allowance. Further, after registration of FIR the investigation agency yet to file the final report. As per the allegations in FIR there is large scam of fraud committed by the



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employees of the Tamilnadu Civil Supplies Corporation, Thiruvannamalai Region. Therefore, its taking time to complete the investigation and to file the final report. Therefore, the petitioners submitted representations to revisit their order of suspension.

5. In view of the above, this Court is not inclined to entertain these writ petitions filed for challenging the order of suspension. However, the respondents are directed to pay subsistence allowance to the petitioners as per Regulation No.18(a) (b) of Tamilnadu Civil Supplies Employees Service Regulations 1989 forthwith. The respondents are further directed to consider the representations submitted by the petitioner on merits in accordance with law.

6. With the above direction, these writ petitions are dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

06.03.2024

Index : Yes/No
Speaking/Non-Speaking Order
Neutral Citation : Yes/No
gvn



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WEB COPY To

- 1) Tamilnadu Civil Supplies Corporation,
rep. By its Managing Director,
No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.
- 2) The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Thiruvannamalai Region,
Tiruvannamalai Town and District.
- 3) The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Chennai (South) Region,
Chennai.
- 4) The Regional Manager,
TNCSC, Chennai North Region,
Corn Smith Road,
Chennai-86.
- 5) The Regional Manager,
TNCSC, Vellore Region,
Vellore.



WEB COPY



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G.K.ILANTHIRAIYAN,J.
gvn

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