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W.P.No.26624 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.26624 of 2024
and W.M.P.Nos.29141 & 29144 of 2024

M.Bharathirajan,
Revenue Spervisor,
(Under Suspension),
Office of the Assistant Engineer (O&M),
TANGEDCO, Sundarampalli Division,
Tirupattur District.

.. Petitioner

Vs.

The Executive Engineer (O&M),
Office of the Tirupattur Electricity,
Distribution Division, TANGEDCO,
Tirupattur – 635 653.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records connected with the proceedings issued in Ku.Aa.No.161/Se.Po/E&Pa/Thiru/U.Ni.A/Nemo/Ni.Oo.1/Ko.ONa/2024 dated 24.04.2024 passed by the respondent herein and quash the same and consequently direct the respondent to reinstate the petitioner into service.

For petitioner : Mr.S.Ilamvaludhi

For Respondent : Mr.K.Rajkumar



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Standing Counsel

ORDER

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This writ petition has been filed challenging the impugned proceedings of the respondent dated 24.04.2024 whereby the petitioner was kept under suspension.

2.Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

3.The case of the petitioner is that he was working as Revenue Supervisor in the office of the Superintending Engineer, Tirupattur Division. He was placed under suspension by the proceedings dated 24.04.2024. The said order of suspension has been made a subject matter of challenge in the present writ petition.

4.In the considered view of this Court, this Court is not inclined to interfere with the order of suspension that has been passed against the petitioner. The petitioner has already made a representation to the respondent on 07.08.2024 requesting the respondent to revoke the order of suspension and to reinstate the petitioner. The same is pending before the respondent. Therefore, it will suffice if a direction is issued to the



respondent to deal with the representation and pass orders within the time frame fixed by this Court.

5.In the light of the above discussion, there shall be a direction to the respondent to deal with the representation made by the petitioner on 07.08.2024 on its own merits and in accordance with law and pass orders within a period of six (6) weeks from the date of receipt of a copy of this order.

6.The learned counsel for the petitioner submitted that after the petitioner was placed under suspension, the subsistence allowance has not been paid to the petitioner. When the petitioner is kept under suspension, the petitioner gets the right to receive the subsistence allowance and the same cannot be stalled. Therefore, there shall be a direction to the respondent to settle the entire arrears of subsistence allowance to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order. The subsistence allowance shall be continued to be paid to the petitioner till a final decision is taken on the representation made by the petitioner.



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7. Accordingly, this Writ Petition is disposed of with the above directions. Consequently, the connected Miscellaneous Petitions are closed. No costs.

12.09.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

The Executive Engineer (O&M),
Office of the Tirupattur Electricity,
Distribution Division, TANGEDCO,
Tirupattur – 635 653.



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N.ANAND VENKATESH, J.

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