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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29271 of 2024

E.Dhatchinamoorthy

... Petitioner

Vs.

1.The Chairman PRTC/Secretary (Transport)

Puducherry Road Transport Corporation Ltd.,
Puducherry 605 001.

2.The Managing Director,

Puducherry Road Transport Corporation Ltd.,
Raja Nagar,
Puducherry 605 013.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay petitioner's salary for 24 days of wrongful suspension period based on his representations dated 26/04/2024 and 17/07/2024.

For Petitioner : Mr.S.Lakshmi Narayanan

For Respondents : Mr.R.Sreedhar
Additional Government Pleader



ORDER

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This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representations made by the petitioner wherein, the petitioner is seeking for the payment of salary for 24 days during which period he was placed under suspension.

2.Heard Mr.S.Lakshmi Narayanan, learned counsel appearing on behalf of the petitioner and Mr.R.Sreedhar, learned Additional Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that he was appointed as a daily rated Conductor in the year 1991 by the 2nd respondent. His services were regularized and he was absorbed into the service by proceedings dated 24.07.2006. The petitioner was also awarded the first Modified Assured Career Progression Scheme (MACP) which resulted in the increase in the salary.

3.The further case of the petitioner is that on 18.02.2020, an inspection was made and based on the report submitted, the petitioner was placed under



suspension for a period of 24 days from 26/04/2024 to 17/07/2024. Ultimately, an internal enquiry was conducted and the petitioner was exonerated from all charges by the respondents through proceedings dated 03.04.2024 issued by the 2nd respondent.

4.The grievance of the petitioner is that for the period of suspension, no salary was paid to the petitioner and the representations made by the petitioner in this regard did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has been exonerated from all charges through the proceedings of the 2nd respondent dated 03.04.2024, there shall be a direction to the 2nd respondent to deal with the representation made by the petitioner on 17.07.2024 and pass appropriate orders releasing the salary of the petitioner for the period of suspension of 24 days from 26/04/2024 to 17/07/2024. The same shall be done, within a period of four weeks from the date of receipt of copy of this order.



N. ANAND VENKATESH, J.

ssr

6.This writ petition is disposed of with the above directions. No Costs.

03.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

- 1.The Chairman PRTC/Secretary (Transport)
Puducherry Road Transport Corporation Ltd.,
Puducherry 605 001.
- 2.The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar,
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