



W.P.No.31959 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.31959 of 2024

S. Surendran

...Petitioner

Vs

The District Manager,
TASMAC Ltd., Nagapattinam District,
Industrial Estate, Thirubuvanam,
Thiruvidaimarudhur Taluk,
Nagapattinam – 612 001.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to pay the subsistence allowance to the petitioner and to pass final orders pursuant the suspension order dated 13.08.2024 at earliest and pass orders.

For Petitioner : Mr. P. Suresh Babu

For Respondents : Mr.C.Ramesh
Standing Counsel

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition seeking a Writ of Mandamus directing the Respondent to pay the subsistence allowance to



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the petitioner and to pass final orders pursuant to the suspension order dated 13.08.2024 at earliest and pass orders.

3. It is the case of the petitioner that he was working as Shop Supervisor in the Retail vending Shop in Tamil Nadu State Marketing Corporation Ltd., (TASMAC) and he was discharging his duties to the best of his ability. It is alleged that during inspection it was found that there was a shortage of Rs.21,01,718/- in the total sales. Due to which all of sudden the respondent herein issued suspension order dated 13.08.2024 to the petitioner and other three employees. Aggrieved over the same, the petitioner has come up with this writ petition.

4. The learned counsel for the petitioner contended that even though the petitioner was placed under suspension he is entitled to subsistence allowance, whereas subsistence allowance was not paid to him. Further contention of petitioner is that the respondent vide order dated 13.08.2024 temporarily suspended the petitioner from services and

pursuant to that they have not passed any final orders. It is pertinent to



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note that the respondent did not serve any notice to the petitioner or conducted enquiry before passing the suspension order.

5. The learned Standing Counsel appearing for the respondent submitted that they will conduct the enquiry and proceed with the case further in the manner known to law and pass final orders as early as possible.

6. Considering the facts of the case, this Court directs the authorities concerned to pay the subsistence allowance within a period of two weeks from the date of receipt of a copy of this Order and a further direction is issued to the respondent to complete the enquiry and pass final orders on or before 15.01.2025.

7. With the above directions, this Writ Petition stands disposed of. No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

Smn

To.

The District Manager,
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