



WP(MD) No.14639 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14639 of 2024

and

W.M.P.(MD) No.12839 of 2024

V.Senthil Kumar

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower – II,
4th Floor, Egmore, Chennai – 600 008.

2.The Senior Regional Manager,
TASMAC Limited,
Plot No.100,
Anna Nagar, Madurai – 625 020.

3.The District Manager,
IMFS Depot, TASMAC Ltd.,
Thondi Road, Palamalai Nagar,
Narikuruvar Colony,
Soorakulam Village,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 to 3 herein to pay subsistence allowance to the Petitioner w.e.f. 14.02.2024, along with furnishing requisite documents as sought by the petitioner herein and subsequently direct the speedy conclusion of Inquiry Proceedings within a stipulated time.

For Petitioner : Mr.S.Bharathy Kannan
For Respondents : Mr.H.Arumugam
Standing Counsel

ORDER

The petitioner has filed this Writ Petition seeking for a direction to the respondents to pay subsistence allowance to the Petitioner w.e.f. 14.02.2024, along with furnishing requisite documents as sought by the petitioner herein and also to direct the speedy conclusion of Inquiry Proceedings within a stipulated time.

2. Heard Mr.S.Bharathy Kannan, learned counsel for the petitioner and Mr.H.Arumugam, learned Standing Counsel for the respondents.



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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioner submitted that despite the petitioner has been placed under suspension on 14.02.2024, the enquiry has not been completed sofar and the subsistence allowance has also not been paid. He further submitted that the documents required by him to effectively defend himself in the enquiry have not been furnished by him. Hence, the petitioner has filed this writ petition.

5. It is seen from the records that on the application made by the petitioner seeking certain documents, appropriate reply has been given by the respondents. If the respondents have furnished the documents available with them, the petitioner can effectively defend his case. However, if the petitioner feels that the respondents wantonly avoid from furnishing the copies of the documents sought for, then the petitioner can raise the same point before the enquiry officer during enquiry. It is for the enquiry officer to pass orders on the allegation.



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The petitioner kept under suspension, which also continues till date and hence he is entitled to get subsistence allowance.

6. In view of the aforesaid observation, the respondents are directed to pay the subsistence allowance to the petitioner within a period of two weeks from the date of receipt of a copy of this order. With this direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

04.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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R.N.MANJULA, J.

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Order made in
W.P.(MD)No.14639 of 2024

04.07.2024