

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.18192 of 2015
and
M.P.Nos.1 and 2 of 2015

R.K.Antony

...Petitioner

-Versus-

The District Manager,
TASMAC,
Tiruppur District,
Tiruppur.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the respondent in Na.Ka.No.832/A/2015 dated 10.06.2015 insofar as it relates to the petitioner and to quash the same and consequently direct the respondent to reinstate the petitioner into service as Salesman in the respondent's TASMAC Shop with all attendant benefits, back-wages and other monetary benefits.

For petitioner : Mr.C.Prakasam

For Respondent : Mr.S.Muthuraj

ORDER

The petitioner was working as a Supervisor in the respondent TASMAC Shop No.1825 at Palladam in Tiruppur District. While so, on 08.06.2015, another salesman committed theft of sale proceeds to the tune of Rs.1,26,904/-. In this regard, the supervisor of the said shop has given a complaint before the District Manager of the TASMAC on 09.06.2015. While so, on 10.06.2015, the petitioner who was the supervisor and three salesmen were placed under temporary suspension on the ground that during audit there were certain lapses noticed in the said shop including deficit in cash. Challenging the above said order, the petitioner is now before this court with this writ petition.

2. Though the prayer in the writ petition is for quashing the order of temporary suspension, now, the learned counsel for the petitioner confined his argument with a request to this court to issue a direction to the respondent to initiate disciplinary proceeding against the petitioner, if so advised, and in the meanwhile to pay the subsistence allowance to the petitioner. The said statement is recorded.

3. Mr.S.Muthuraj, the learned counsel taking notice for the respondent would submit that appropriate action will be taken against the person responsible in this regard and the same would be completed early as possible.

4. Having regard to the limited relief now sought for, without expressing any opinion in respect of the grounds raised in the writ petition, the writ petition is disposed of with a direction to the respondent to initiate disciplinary proceeding against the petitioner, if so advised, and to complete the same within a period of six months from the date of receipt of a copy of this order. In the mean while, it is directed that the respondent shall pay the subsistence allowance to the petitioner. No costs. Consequently, connected MPs are closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

kmk

To

The District Manager,
TASMAC, Tiruppur District,
Tiruppur.

1CC to M/s. C.Prakasam, Advocate SR 31258

W.P.No.18192 of 2015

RSK [CO]
PSI 29.06.2015