

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2015

CORAM

THE HONOURABLE MR.JUSTICE D. HARIPARANTHAMAN

Writ Petition No.18768 of 2015

B.Pasupathi

...Petitioner

Vs.

1. The District Manager,
"TASMAC" District Manager Office,
Tamil Nadu Warehouse Gown Campus,
No.62/70, Anna Salai,
Thiruvannamalai - 606 601.
2. The Senior Regional Manager,
"TASMAC" Ltd.,
Salem - 16.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for records in impugned order in Na.Ka.R.V.2/6203/2012 dated 01.04.2015 passed by the first respondent and quash the same and consequently direct the first respondent to restore the petitioner into service with full backwages and other service benefits

For Petitioner : Mr.P.Ganapathy

For Respondents : Mr.S.Muthuraj
for TASMAC

ORDER

With consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The prayer in the writ petition is to quash the impugned order dated 01.04.2015, terminating the petitioner from service. The learned counsel for the TASMAC states that the appeal dated 27.05.2015 is filed against the termination order.

3. Learned counsel for the petitioner submitted that no witness was examined in the enquiry and no documents were marked but the statement of the workman was simply recorded and based on such enquiry, he was dismissed from service.

4. If such a procedure is followed, it has been well settled that the dismissal order will not stand the scrutiny of law. However, I am not deciding those factual issues and the issues are left for the decision of the appellate authority.

5. In these circumstances, the writ petition is disposed of with a direction to the appellate authority to decide the appeal on merits and in accordance with law, preferably within a period of six weeks from the date of receipt of a copy of the order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Manager,
"TASMAC" District Manager Office,
Tamil Nadu Warehouse Gown Campus,
No.62/70, Anna Salai,
Thiruvannamalai - 606 601.
2. The Senior Regional Manager,
"TASMAC" Ltd.,
Salem - 16.

1 CC to Mr.P.Ganapathy, Advocate SR.No. 32322

1 CC to Mr.S.Muthuraj, Advocate SR.No. 31976

W.P.No.18768 of 2015

KSJ (CO)
PSI (08.07.2015)