

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.Nos.18921 to 18924 of 2015

R.Murugan .. Petitioner in W.P.No.18921 of 2015
R.Ramakrishnan .. Petitioner in W.P.No.18922 of 2015
C.Siva Prakash .. Petitioner in W.P.No.18923 of 2015
S.Sathish .. Petitioner in W.P.No.18924 of 2015

Vs

1. The State of Tamil Nadu
rep. by the Secretary to Government,
Department of Excise and Prohibition,
Fort St. George, Chennai.
2. Tamil Nadu State Marketing Corporation
Limited (TASMAC) rep. by its District
Manager, MSR Complex, Dayalan Street,
Goundampalayam, Coimbatore-30.
3. The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Udhagamandalam-643 200,
Nilgiris District.
4. The Assistant Manager,
Accountant Section,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Udhagamandalam-643 200,
Nilgiris District. .. RESPONDENTS in all W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to reinstate the petitioners as supervisors pursuant to their acquittal in the judgment dated 06.04.2015 in C.C.No.117 of 2014 and C.C.No.116 of 2014 on the file of the District Munsif-cum-Judicial Magistrate, Gudalur, The Nilgiris.

For petitioners : Mr.P.V.Ravichandran

For 1st Respondent : Mrs.M.E.Raniselvam,
Additional Government Pleader

For respondents : Mr.S.Muthuraj
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C O M M O N O R D E R

Since the relief sought for in all these writ petitions is one and the same, they are heard together and are disposed of by means of this Common Order.

2. The petitioners were dismissed by an order of the 3rd respondent dated 09.01.2015 based on certain allegations, after a departmental enquiry.

3. On the same set of allegations, a criminal prosecution was launched against the petitioners. The criminal prosecution ended in acquittal in C.C.No.117 of 2014 against the petitioner in W.P.No.18921 of 2015 and in C.C.No.116 of 2014 against the petitioners in W.P.Nos.18922 to 18924 of 2015, by the judgment dated 6.4.2015, learned Principal District Munsif-cum-Judicial Magistrate, Gudalure, The Nilgiris. In view of the same, the petitioners have filed these Writ Petitions seeking to reinstate them in service.

4. Taking into account the aforesaid facts, the Writ Petitions are disposed of directing the petitioners to prefer an appeal against the order dated 09.01.2015 of the 3rd respondent to the Appellate Authority, namely, the Senior Regional Manager, Tamil Nadu State Marketing Corporation Limited (TASMAC), Coimbatore, within a period of two weeks from the date of receipt of a copy of this Order and if such appeals are filed, the appellate authority is directed to consider the same, in the light of their acquittal by the criminal court and pass orders on merit and in accordance with law, within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu,
Department of Excise and Prohibition,
Fort St. George, Chennai.

2. The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC) MSR Complex, Dayalan Street,
Goundampalayam, Coimbatore-30.

3. The District Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Udhagamandalam-643 200,
Nilgiris District.

4. The Assistant Manager,
Accountant Section,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
Udhagamandalam-643 200,
Nilgiris District.

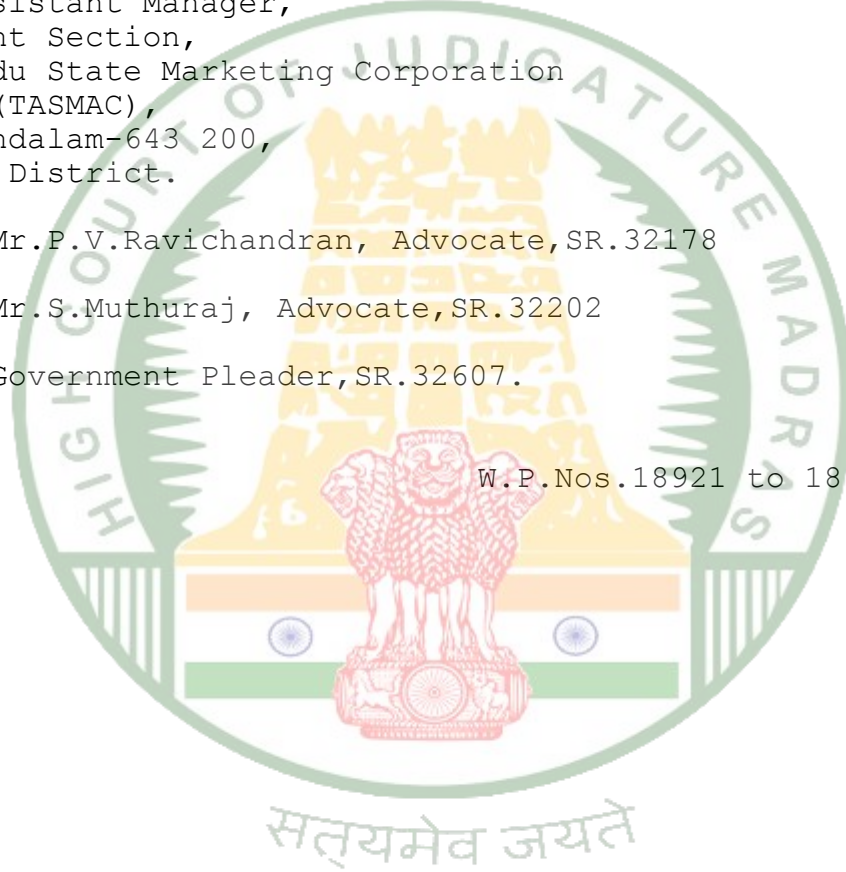
+1 cc to Mr.P.V.Ravichandran, Advocate,SR.32178

+1 cc to Mr.S.Muthuraj, Advocate,SR.32202

+1 cc to Government Pleader,SR.32607.

Km(co)
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