

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21221 of 2015

M.Asaithambi

.. PETITIONER

Vs

The District Manager (Tirupur),
Tamil Nadu State Marketing Corporation
Limited, Tirupur.

.. RESPONDENT

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondent herein to reinstate the petitioner in his service as salesman in TASMAC shop, Tirupur with continuity in service, back wages and all other attendant benefits.

For petitioner : Mr.P.R.Thiruneelakandan

For Respondent : Mr.S.Muthuraj

O R D E R

The petitioner was employed as a Salesman in TASMAC Shop No.1994 in Tirupur District.

2. As per the order in Na.Ka.No.582/A/2014, dated 20.06.2014 issued by the respondent, the petitioner remained absent from 21.11.2010.

3. In the aforesaid show cause notice dated 20.06.2014, the petitioner was asked to explain as to why further action could not be taken against him.

4. It is stated by the learned Counsel appearing for the petitioner that the petitioner could be permitted to join duty and the respondent could be given liberty to take disciplinary action if so advised.

5. In these circumstances, the Writ Petition is disposed of, directing the respondent to reinstate the petitioner in service

without prejudice to the right of the respondent to proceed departmentally. It is made clear that the respondent is at liberty to take disciplinary action for the unauthorised absence alleged in the charge memo. Since the petitioner is not placed under suspension and the petitioner is willing to report duty, the aforesaid direction is issued. The same would not cause any prejudice to the respondent.

6. The Writ Petition is disposed of in the above terms. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The District Manager (Tirupur),
Tamil Nadu State Marketing Corporation
Limited, Tirupur.

+1cc to Mr.P.R.Thiruneelakandan, Advocate sr.36471
+1cc to Mr.S.Muthuraj, Advocate sr.36360

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