

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-08-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.23718 of 2015

A.Karaimelazhagan

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Petitioner

vs

- 1.The Managing Director
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Thalamuthu Natarajan Maaligai
4th Floor, CMDA Building
Egmore, Chennai 600 008
- 2.The Senior Regional Zonal Manager
Chennai Region
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
735, LLA Building
Anna Salai, Chennai 600 002
- 3.The District Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Ambattur Industrial Estate
Chennai 600 056

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to dispose of the petitioner's statutory appeal dated 20.7.2015, within a stipulated period of time and in accordance with law.

For Petitioner : Mr.M.V.Muralidaran

For Respondents : Mr.S.Muthuraj

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that he was appointed as a Supervisor in the services of the Tamil Nadu State Marketing Corporation Limited (TASMAC) vide order dated 29.11.2003, and was allotted Shop No.435 at Shenoy Nagar, Aminjikarai, and thereafter, he was transferred to various other places and lastly, he was working in Shop No.412 at Koyambedu Market rear side. He would further state that a surprise inspection was conducted by the Flying Squad and they have noted certain irregularities, based on which, two charges have

been framed, and he was issued with a show cause notice and he offered his written explanation and was placed under suspension vide order of the third respondent dated 3.9.2014.

3. According to the petitioner, he made a challenge to the said order by filing W.P.No.26855/2014 and this Court has directed the respondents to conclude the Departmental Enquiry within a stipulated time; but, however, it was not complied with and hence, the petitioner filed a contempt petition in C.P.No.576/2015, and thereafter, he was paid with the subsistence allowance in part, and ultimately, he was issued with the order of dismissal dated 30.6.2015, and challenging the same, he filed a statutory appeal dated 20.7.2015, before the second respondent and since it has not been given disposal, came forward to file this writ petition.

4. Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.S.Muthuraj, learned Standing Counsel, who accepted notice on behalf of the respondents.

5. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the second respondent to consider the petitioner's statutory appeal dated 20.7.2015, in accordance with law, and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

सत्यमेव जयते

nsv

To:

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Chennai 600 056

+1 cc to Mr.M.V.Muralidaran, Advocate, sr.40182.
+1 cc to Mrs.Muthuraj, Advocate, sr.40126

W.P.No.23718 of 2015

vsn(co)
kra(17/08)



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