

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30987 of 2015

C.Arumugam

.. Petitioner

Vs.

1. The Senior Regional Manager,
TASMAC Ltd., (Tamil Nadu State
Marketing Corporation Ltd.)
Regional Manager Office,
Salem - 636 016.
2. The District Manager,
Tamil Nadu State Marketing Corporation
Ltd., (TASMAC),
No.59A Warehousing Corporation,
Chennai Trunk Road,
Thiruvannamalai.

.. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the first respondent to consider and pass orders on the Appeal dated 05.06.2015 submitted by the petitioner within a stipulated time as fixed by this Court.

For Petitioner

.. Mr.M.Ramdass

For Respondents

.. Mr.S.Muthuraj

ORDER

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

2.The petitioner, while working as Supervisor in Shop No.9285, Vandavasi, a surprise inspection was conducted on 05.10.2014 by the District Manager as well as by the Internal Auditor and certain deficiencies such as loose sale and adulteration have been noted and in this regard, a criminal complaint was also lodged, which resulted in registration of the case in Crime No.401 of 2014 on 05.10.2014. In the surprise inspection, it was also found that there is shortage of cash of

Rs.18,860/- and records have not been properly maintained. The petitioner was issued with a charge memo and after conclusion of the enquiry, the disciplinary authority has reached the conclusion to dismiss the petitioner from service and by order dated 17.04.2015, the petitioner was dismissed from service. The petitioner, aggrieved by the same, filed a departmental appeal on 05.06.2015 to the first respondent and it was followed by a reminder dated 20.07.2015. The petitioner was issued with a communication by the second respondent that he should appear before the first respondent on 17.08.2015 in connection with the appeal filed by him and the petitioner has also appeared and made his submissions and the grievance expressed by him is that the appeal is yet to be disposed of and since he is out of employment, he and his family are suffering very much and prays for early disposal of the appeal.

3. Heard the submissions of the learned counsel for the petitioner and Mr.S.Muthuraj, learned standing counsel, who accepts notice on behalf of the respondents.

4. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner, directs the first respondent to consider and dispose of the appeal petition/memorandum dated 05.06.2015 on merits and in accordance with law and pass orders within a period of six 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.
mmi

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Senior Regional Manager,
TASMAC Ltd., (Tamil Nadu State Marketing Corporation Ltd.)
Regional Manager Office, Salem - 636 016.
2. The District Manager,
Tamil Nadu State Marketing Corporation
Ltd., (TASMAC),
No.59A Warehousing Corporation,
Chennai Trunk Road, Thiruvannamalai.

+ 1 cc to Mr.A.Ramadoss, Advocate SR 53800

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