

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30991 of 2015
and
M.P.Nos.1 and 2 of 2015

P.Dhandapani

..Petitioner

Vs.

1. The Senior Regional Manager,
TASMAC Ltd., Coimbatore.

2. The District Manager,
TASMAC Ltd., Tiruppur.

..Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of certiorarified mandamus to call for the records relating to Pro.Na.Ka.no.1304/A/2015 dated 29.07.2015 in so far as the petitioner is concerned passed by the second respondent quash the same and issue consequential directions to the respondents to reinstate the petitioner in service with consequential benefits.

For Petitioner .. Mr.G.Punniyakotti

For Respondents .. Mr.C.Kasirajan

ORDER

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

2. The petitioner was initially appointed as Salesman in the services of the Tamil Nadu State Marketing Corporation (TASMAC) and was allotted to Shop No.2210 at Palladam Road, Thekkalur, Tiruppur and he was transferred to Shop No.1958 near Chandrapuram Extension, Tiruppur on 08.11.20014 and according to him, he was rendering sincere and blemish less service to the satisfaction of the superior officers. The petitioner would further state that on 29.07.2015, flying squad has conducted a surprise inspection and allegedly found shortage of cash balance of Rs.3,02,924/- and therefore, the petitioner was placed under

suspension by the second respondent on 29.07.2015 along with Thiru.P.Tamilarasan, Supervisor and Thiru.M.Arokiasamy, Assistant Salesman. It is the claim of the petitioner that on the date of surprise inspection/raid, he was not in the shop but was put in charge of duty in respect of other shop and therefore, he cannot be found fault with for the alleged delinquencies and in this regard, he has also submitted a representation dated 03.08.2015 for revoking/reviewing the order of suspension and since no orders have been passed, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner would submit that since for the past two months, the petitioner was placed under suspension, he and his family are suffering very much and prays for quashment of the impugned order of suspension.

4. Per contra, Mr.C.Kasirajan, learned standing counsel, who accepts notice on behalf of the respondents would submit that since the allegation is serious in nature with regard to shortage of cash, the petitioner and two others were rightly placed under suspension and since the petitioner has submitted a representation for revoking/reviewing the order of suspension, appropriate orders may be passed, directing the second respondent to pass orders on the representation submitted by the petitioner.

5. This Court has considered the rival submissions and also perused the materials placed before it.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the second respondent to consider the representation submitted by the petitioner dated 03.08.2015 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. Consequently, connected miscellaneous petitions are closed.

Mmi

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub-Assistant Registrar

To

1. The Senior Regional Manager,
TASMAC Ltd., Coimbatore.

2. The District Manager,
TASMAC Ltd., Tiruppur.

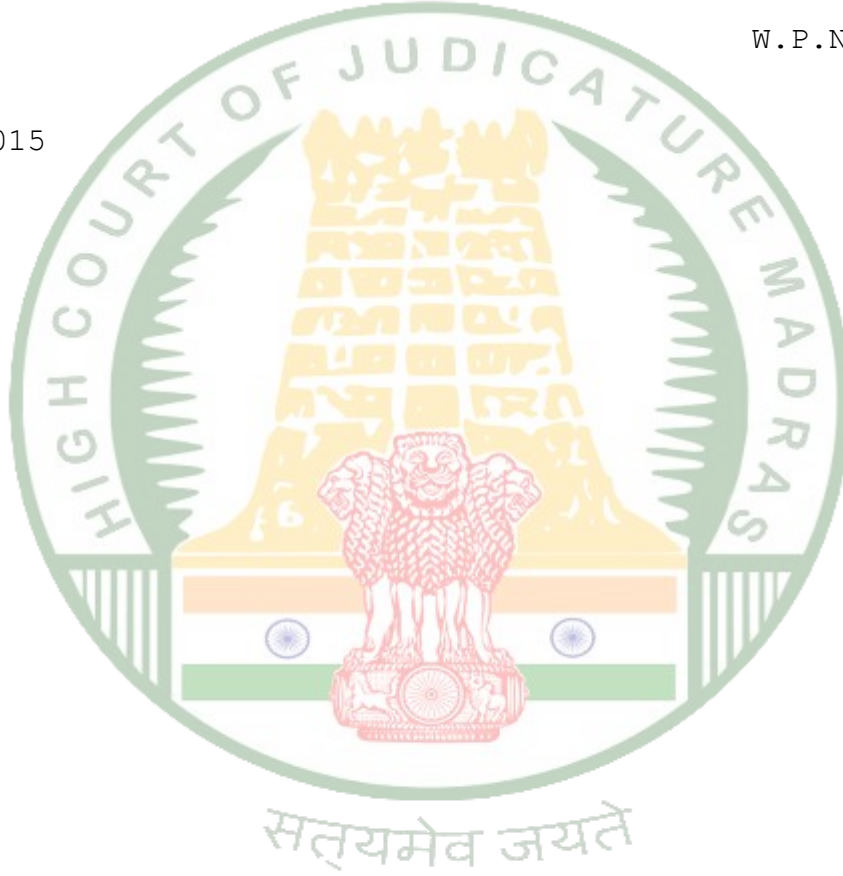
+1 C.C. To MR.G.Punnikotti, Advocate in SR.NO.53549

+1 C.C. To MR.Kasirajan, Advocate in SR.NO.53528

W.P.No.30991 of 2015

VD(CO)

sd : 15/10/2015



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