

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36438 of 2015

V.T.Bharathi

..Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation,
(TASMAC), 4th Floor,
CMDA Building, Chennai - 600 008.
2. Senior Regional Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Salem, Salem District.
3. The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), 2/92, Sandhiyur Village,
S.Attayampatti Post,
Salem Taluk & District.

.. Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to revoke the order of suspension and reinstate the petitioner as shop Supervisor in Shop No.7435, Thalaivasal, Attur Taluk, Salem District, by considering the representation dated 07.10.2015 made by the petitioner and confer all the consequential benefits with all back wages.

For Petitioner : M/s.C.Selvaraj
Senior Counsel
for M/s.C.S.Associates

For Respondents : Mr.S.Muthuraj
for TASMAC

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O R D E R

Mr.S.Muthuraj, learned counsel for respondents (TASMAC) takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The writ petition is filed for a Writ of Mandamus, directing the respondents to revoke the order of suspension and

reinstate the petitioner as shop Supervisor in Shop No.7435, Thalaivasal, Attur Taluk, Salem District, by considering the representation dated 07.10.2015 made by the petitioner and confer all the consequential benefits with all back wages.

3. The case of the petitioner is that he was appointed as shop Supervisor on 01.02.2004 and posted at Shop No.7140, Attur, Salem District and subsequently, he was transferred to Shop No.7435, Mummudi Thalaivasal, Attur, Salem District. While he was working, he was placed under suspension on 16.09.2011 on the ground that he was arrested in criminal case and released on bail on 12.09.2011. During the pendency of the criminal case, he made a representation to the respondents to revoke the suspension order and the same was rejected by the respondents on 28.02.2014 on the ground that the criminal case was still pending.

4. Mr. C.Selvaraj, learned senior counsel for the petitioner would contend that the petitioner was acquitted from the criminal case on 07.08.2015 by the learned Judicial Magistrate No.1, Attur in C.C.No.166 of 2011 and after acquittal, he made a representation on 07.10.2015 for revocation of suspension order. But so far, it has not been considered by the third respondent. Hence, the present writ petition.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

6. Though the petitioner prayed for a larger relief, this court, in the light of the facts and circumstances and without going into the merits of the case, directs the third respondent to consider the petitioner's representation dated 07.10.2015 and pass orders on merits and in accordance with law, 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.

With the above said directions, the writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

sms

To

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation,
(TASMAC), 4th Floor,
CMDA Building, Chennai - 600 008.
 2. Senior Regional Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Salem, Salem District.
 3. The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), 2/92, Sandhiyur Village,
S.Attayampatti Post,
Salem Taluk & District.
- +1 cc to M/s.C.S.Associates, Advocate, sr.62081

W.P.No.36438 of 2015

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kra 26.11.2015



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