

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.12.2015

Coram :

The Hon'ble Mr.Justice K.KALYANASUNDARAM

W.P.No.40221 of 2015

K.R.Muruganandam

... Petitioner

vs

Tamil Nadu State Marketing
Corporation Limited (TASMAC)
Rep. By its District Manager,
Tiruppur.
Tiruppur District.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondent to forthwith reinstate the petitioner in service as bar attender in the TASMAC Wine Shop No.1883 or in any other TASMAC Wine Shop by considering and passing orders on the representations of the petitioner dated 02.09.2009 and 14.10.2015.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.C.Kasirajan

O R D E R

By consent, this writ petition is taken up for disposal at the admission stage itself.

2. This writ petition has been filed for issuance of writ of mandamus directing the respondent to reinstate the petitioner in service as bar attender in the TASMAC Wine Shop No.1883 or in any other TASMAC Wine Shop by considering and passing orders on the representations of the petitioner dated 02.09.2009 and 14.10.2015.

3. The case of the petitioner is that the petitioner was appointed as Bar Attender on 30.01.2004 in TASMAC Shop No.1824. Thereafter transferred to Shop No.1883 on 05.05.2006 and he was working in the said shop from 10.05.2006 to 08.08.2006. Since he was suffering Chicken Guniya, he could not attend his duties from 09.08.2006 to 14.08.2006 and reported duty on 15.08.2006. While so, he was not allowed to join the

duty in the said shop and was directed to obtain medical certificate. Further, the respondent orally informed the petitioner that within a week time, he would be reinstated. However, the petitioner was not reinstated and hence, he made representations dated 16.08.2006, 03.01.2007, 10.07.2008 and 14.10.2015 to the respondent. Since no order has been passed, the present writ petition has been filed.

4. Mr.K.Selvaraj, learned counsel appearing for the petitioner would submit that the services of the petitioner was not terminated by the respondent. Further, no charge memo was issued nor enquiry was conducted. It is further submitted that the petitioner undertakes that he would not claim any backwages from the respondent, which is also stated in his affidavit.

5. Heard the learned counsel appearing for the respondent and perused the records.

6. This Court, in the light of the facts and circumstances, permits the petitioners to submit one more representation to the respondent enclosing a copy of this order as well as copy of his earlier representations, within a period of two weeks from the date of receipt of a copy of this order and the respondent, on receipt of the same, is directed to consider the same, on merits and in accordance with law and pass orders thereon within a period of eight weeks thereafter and communicate the decision taken, to the petitioner.

7. The writ petition is disposed of accordingly. No costs.
rgr

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

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

+ 1 cc to Mr.K.Selvaraj, Advocate, SR 68941

+ 1 cc to Mr.C.Kasirajan, Advocate, SR 69255

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