

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.17072 of 2016

and WMP.No.14559 of 2016

R.Sivakumar

.. Petitioner

vs.

1.The Secretary to the Government,  
Prohibition and Excise Department,  
Secretariat,  
Fort St.George,  
Chennai-600 009.

2.The Senior Zonal Manager,  
TASMAC Ltd.,  
Vellore, Vellore District.

3.The District Manager,  
TASMAC Ltd.,  
Vellore, Vellore District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records in the impugned order dated 18.04.2015 in Se.Mu.Na.Ka.No.a2/650/C.V/2015 issued by the third respondent and quash the same and further directing the respondents to reinstate the petitioner in his job.

For Petitioner : Mr.N.Sureka

For Respondents : Mr.R.Venkatesh,  
Government Advocate for R1

Mr.C.Kasirajan,  
for TASMAC for R2 and R3

**ORDER**

This Writ Petition has been filed praying for issuance of a Writ of Certiorarified Mandamus calling for the records in the impugned order dated 18.04.2015 in Se.Mu.Na.Ka.No.a2/650/C.V/2015

issued by the third respondent and quash the same and further directing the respondents to reinstate the petitioner in his job.

2. The petitioner was working as a Salesman in TASMAC shop in Shop No.11283, Ambur, Vellore District and the third respondent preferred a complaint with the Inspector of Police, PEW, Thirupathu alleging that on 17.04.2015 at about 5.30 p.m., while inspecting the said shop, the petitioner was found mixing water into 31 liquor bottles and sold the same to the customers and on seeing them, the petitioner ran away from the shop and the same was also confirmed by the Laboratory Report. On receipt of the said complaint, the Inspector of Police, PEW, Thirupathur registered a case in Crime No.94/15 for the offence under Section 24(A) of the Tamil Nadu Prohibition Act. The petitioner would further state that, without obtaining the Laboratory Report, the petitioner was placed under suspension by the third respondent on 18.04.2015 and on 07.05.2015 the third respondent issued a charge memo and after receipt of the same on 22.05.2015, the petitioner submitted his explanation to the third respondent. The grievance expressed by the petitioner is that though two other members were also charged in the above said criminal case and suspended along with him, they were reinstated into service and insofar as against him, no enquiry was conducted and hence, came forward forward with this writ petition.

3. Mr. C. Kasirajan, learned Standing Counsel appearing for TASMAC/respondents 2 and 3 would submit that the respondents will complete the enquiry within a period of six weeks.

4. In view of the above submissions, this Writ Petition is disposed of with a direction to the respondents 2 and 3 to complete the enquiry and pass orders within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

jvm

Sd/-  
Assistant Registrar (CS- )

/TRUE COPY/

WEB COPY  
Sub-Assistant Registrar

To

1. The Secretary to the Government,  
Prohibition and Excise Department,  
Secretariat,  
Fort St. George,  
Chennai-600 009.

2.The Senior Zonal Manager,  
TASMAC Ltd.,  
Vellore, Vellore District.

3.The District Manager,  
TASMAC Ltd.,  
Vellore, Vellore District.

+1 CC Government Pleader SR.No.53500

+1 CC Mr.C. Samivel, Advocate, Commissioner for Oaths  
SR.No.53454

+1 CC Mr.C.Kasirajan, Advocate SR.No.53193

W.P.No.17072 of 2016

CNR  
MSI 20/10/2016



**19.09.2016**

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