

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.17879 of 2016

P.Jaganathan

... Petitioner

vs.

1. The Managing Director
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Thalamuthu Natarajan Maaligam
4th Floor, C.M.D.A Building
Egmore, Chennai - 600 008
- 2.The Senior Regional Zonal Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Perland Salai
Salem District
- 3.The Deputy Collector/
District General Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Vellore District
- 4.The District Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
No.1, Katpadi Road
Vellore District - 1

.. Respondents

Writ Petition filed under Article 226 of Indian Constitution praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 22.12.2015 and thereby direct the respondents to allow the petitioner to join duty as Salesman in Tasmac Shop No.11263 at Kilithanpattarai, Katpadi Taluk, Vellore District in the light of the proceedings of the 4th respondent in Se.Mu.Na.Ka.No. A2/848/C.V/2009 dated 08.04.2010 or in any other available vacant place of salesman in Tasmac within the Vellore District.

For Petitioner : Mr.M.Marudhachalam

For Respondents : Mr.B.Nedunchezian

O R D E R

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

2. Originally the petitioner worked as Salesman in Shop No.110486 at Katpadi, Vellore District. The case of the petitioner is that due to his mother's illness, he was not able to continue his duty since 29.07.2005. After recovery of his mother from her illness, he made a representation on 01.06.2011 along with the certificate obtained from Viruthampet Police Station to the effect that the petitioner has not come to any adverse entries in the records of the said police station and requested the respondents to permit him to join duty. The fourth respondent, after considering his case, by order dated 08.04.2010, appointed the petitioner as Salesman in the vacant post at Shop No.11263, Kilithanpattarai Taluk, Vellore District. When the petitioner, after the receipt of the reinstatement order, went to join duty in the said shop, the respondents have not permitted the petitioner to join the duty. Thereafter, the petitioner made several representation and the last of such representation was given in person to the respondents on 15.04.2016.

3. Heard the submissions made by Mr.M.Marudhachalam, learned counsel for the petitioner and Mr.B.Nedunchezian, learned counsel for the respondents.

4. Considering the submissions made on either side, there will be direction to the first respondent to consider the petitioner's representation dated 15.04.2016 based on the order of the fourth respondent dated 08.04.2010 and pass orders permitting the petitioner to join duty either in Shop No.11263 or any other shop. The same shall be considered within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The Managing Director
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