

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.32478 of 2013
and M.P.No.2 of 2013

S.Venkatesan

.. Petitioner

vs.

1.The Senior Regional Manager (SRM),
Tamil Nadu State Marketing Corporation Limited
(TASMAC Ltd.,)
LLA Building, 4th Floor,
Anna Salai, Chennai.

2.The District Manager (DM),
Tamil Nadu State Marketing Corporation Limited
(TASMAC Ltd.,)
Thirumazhisai III
Kancheepuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to permit the petitioner to rejoin duty as Supervisor in TASMAC Retail Outlet Shop No.4080 situated at Door No.1, Karunaiyar Street, Adambakkam, Chennai or any other shop under the control of the respondent Department.

For Petitioner : Mr.A.Jenasenan

For Respondents : Mr.B.Nedunchezian

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to permit the petitioner to rejoin duty as Supervisor in TASMAC Retail Outlet Shop No.4080 situated at Door No.1, Karunaiyar Street, Adambakkam, Chennai or any other shop under the control of the respondent Department.

2. The petitioner was originally appointed as Supervisor and posted at Shop No.4091 in Nanganallur, Chennai and recently posted as Supervisor at Shop No.4080, Adambakkam,

Chennai and he has been rendering unblemished service. On 27.02.2013, an audit was conducted in the shop which is under the petitioner's supervision and a shortage of Rs.75,000/- towards stock for the month of January 2013 was recorded. Though the petitioner did not agree with the findings of the audit report, he was left with no other option but to sign the monthly audit report. While the petitioner was on leave due to health conditions, the respondent Department had conducted a surprise audit again on 02.03.2013 and had allegedly recorded shortage/shortfall to the tune of Rs.27 lakhs. When the petitioner reported to duty on 03.03.2013, he was refrained from joining duty and however no order of suspension was issued and hence, he has come forward with this writ petition.

3. The learned counsel appearing for the petitioner would submit that so far no notice or charge memo was issued to the petitioner with regard to the alleged shortage of Rs.27 lakhs.

4. Mr.B.Nedunchezian, learned Standing Counsel appearing for the respondents/TASMAC would submit that the enquiry is pending against the petitioner and the respondents are prepared to complete the enquiry within a period of two months.

5. In view of the above, this Writ Petition is disposed of and the respondents are directed to conduct enquiry by issuing charge memo to the petitioner within a period of two weeks from the date of receipt of a copy of this order and by observing all the procedural/legal formalities, shall complete the enquiry within a period of eight weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Senior Regional Manager (SRM),
Tamil Nadu State Marketing Corporation Limited (TASMAC
Ltd.,)

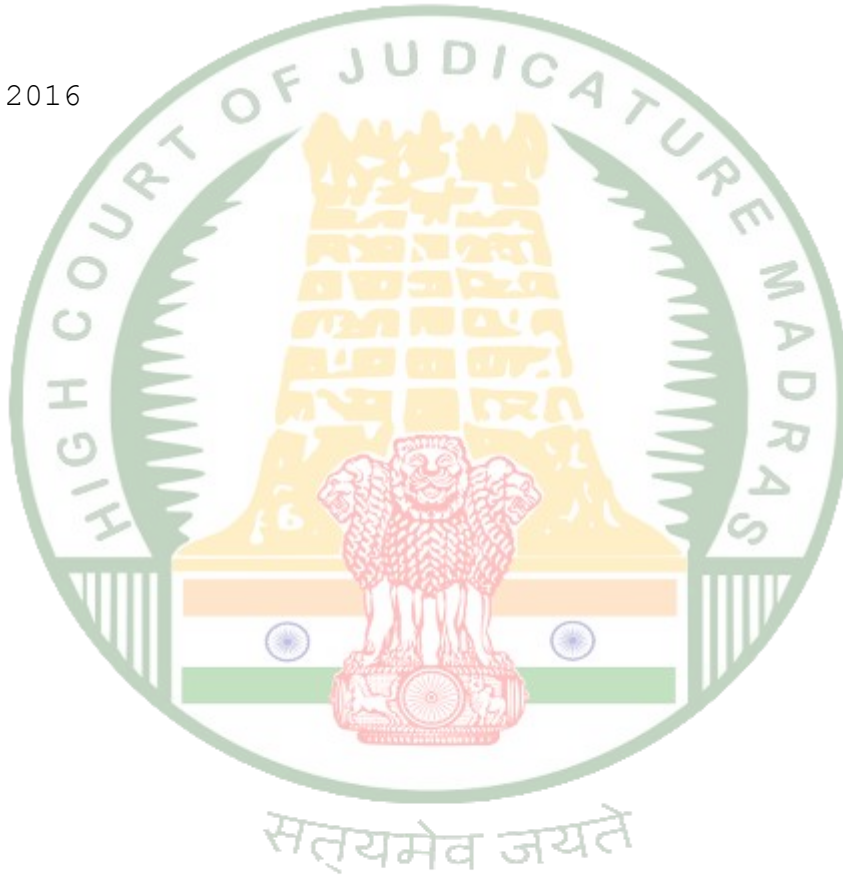
LLA Building, 4th Floor,
Anna Salai, Chennai.

2.The District Manager (DM),
Tamil Nadu State Marketing Corporation Limited (TASMAC
Ltd.,)
Thirumazhisai III
Kancheepuram District.

1 cc to Mr.A.Jenasenon, Advocate, sr.52101

W.P.No.32478 of 2013

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kra 07.10.2016



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