

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.27418 of 2016

V.Mohan

.. Petitioner

Vs.

1.The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation Ltd,. [TASMAC],
Salem Region, No.56, Brindhavan Road,
Fairlands, Salem - 16.

2.The District Manager, Arakkonam District,
Tamil Nadu Sate Marketing
Corporation Ltd., [TASMAC],
SIPCOT, Ranipet,
Vaalaja Taluk, Vellore District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dispose of the petitioner appeal dated 24.11.2014 within time frame fixed by this Court.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.Kasirajan
Standing Counsel

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's appeal dated 24.11.2014.

2.The petitioner joined service as Supervisor in the TASMAC Shop No.11353 at Arakonam District. Based on certain allegations, he was suspended from service vide order dated 13.02.2014. However, the second respondent issued with a Charge Memo dated 25.08.2014 against the petitioner framing charges and asked to submit explanation within seven days and accordingly, the petitioner submitted his detailed reply on 11.09.2014 denying the charges. Thereafter, the Enquiry Officer conducted the enquiry and submitted his report on 27.09.2014. The second respondent communicated the enquiry report to the petitioner on 05.10.2014 and on the same day, he submitted his explanation and thereafter, the second respondent passed the impugned order

dated 13.10.2014 suspending the petitioner from service. As against the said order, the petitioner made an appeal on 24.11.2014 to the first respondent and subsequently, reminders were also sent, but till date no orders have been passed and hence, the Writ Petition has been filed.

3.Mr.K.Sasindran, learned counsel for the petitioner would submit that the petitioner would be satisfied, if his appeal is directed to be considered and appropriate orders are passed as expeditiously as possible.

4.Mr.Kasirajan, learned Standing Counsel for TASMAL for the respondents has got no serious objection for directing the first respondent, who is the appropriate authority to consider the appeal of the petitioner and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent, to consider the appeal of the petitioner, dated 24.11.2014 and pass appropriate orders, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation Ltd,. [TASMAL],
Salem Region, No.56, Brindhavan Road,
Fairlands, Salem - 16.

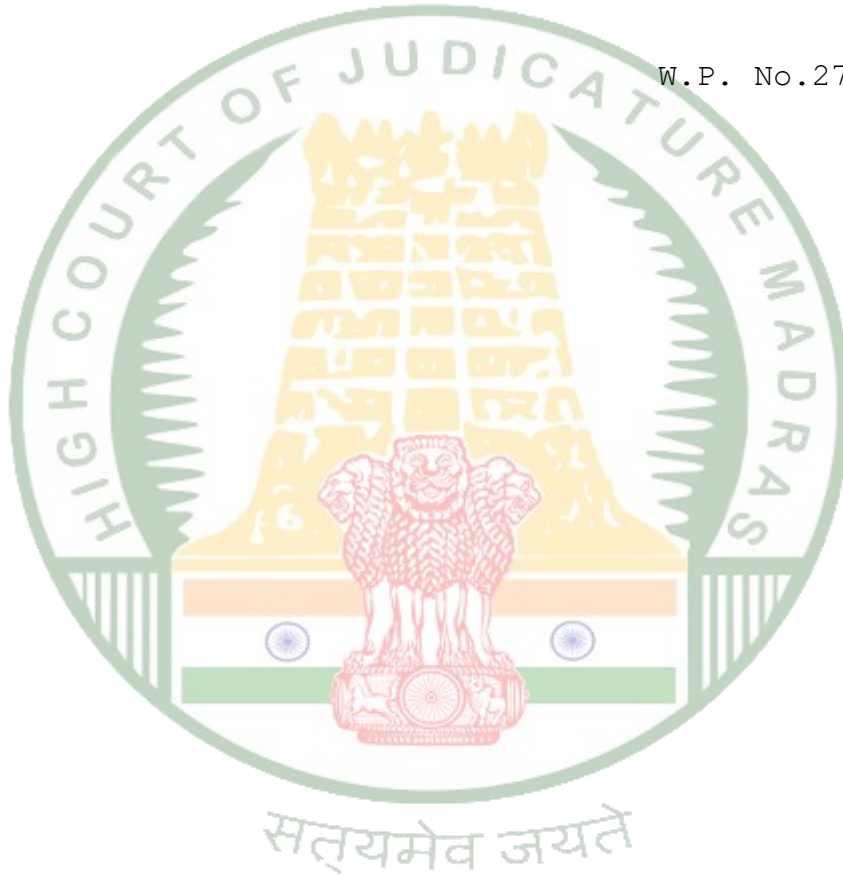
2.The District Manager, Arakkonam District,
Tamil Nadu Sate Marketing
Corporation Ltd., [TASMAC],
SIPCOT, Ranipet,
Vaalaja Taluk, Vellore District.

+1 cc to M/s.K.Sasindran, advocate,sr.44648

+1 cc to Mr.C.Kasirajan,advocate,sr.44604.

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krd 23/8

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