

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.09.2016
CORAM:
THE HONOURABLE MR. JUSTICE R.SUBBIAH
W.P.No.32078 of 2016

M.Pugazhendi

.. Petitioner

vs.

- 1.The State of Tamilnadu,
Rep by its Secretary to Government,
Prohibition and Enforcement Department,
Secretariat, Chennai-600 009.
- 2.The Managing Director,
Tamilnadu Marketing Corporation,
Chennai-600 008.
- 3.The Senior Regional Manager,
Tamil Nadu Marketing Corporation,
Chennai-600 002.
- 4.The District Manager,
TASMAC Limited,
Tiruvallur Region.

.. 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 rejoin the petitioner on duty as Salesman in the TASMAC shop on the petitioner's representations dated 22.05.2015 and 13.08.2012.

For Petitioner : Mr.V.Thiyagu

For Respondents : Mr.R.Venkatesh,
Govt. Advocate for R1
Mr.C.Kasirajan,
for TASMAC for R2 to R4

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O R D E R

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 Salesman in the TASMAC shop, based on his representations dated 22.05.2015 and 13.08.2012.

2. The petitioner was appointed as Salesman by the fourth respondent in the TASMAC limited, vide proceedings dated 28.11.2003 and worked as Salesman in the respondents Corporation

upto 30.09.2009 and had continuously worked for more than six years without any blemish. While so, the petitioner was unable to continue his work from 31.09.2009 as he was seriously affected by Jaundice and was continuously taking treatment at the Government Headquarters Hospital, Tiruvallur and after recovering from his ailments on 22.05.2012, the petitioner sent a representation enclosing all medical certificates requesting the respondents to permit him to rejoin duty. However, the fourth respondent, vide proceedings dated 25.05.2012, informed the petitioner that he would be allowed to join only after getting orders from the second respondent. The petitioner also made a representation to the first respondent on 13.08.2012, which was also not considered and hence, came forward with this writ petition.

3. Heard both sides and also perused the materials placed before it.

4. Since the petitioner was unauthorizedly absent continuously for more than 3 years, the question of directing the respondents to consider his representations does not arise. Hence, this Writ Petition is dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

jvm

To

1.The Secretary to Government,
The State of Tamilnadu,
Prohibition and Enforcement Department,
Secretariat, Chennai-600 009.

+1 cc to Mr.C.Kasirajan Advocate sr 53192

+1 cc to Government Pleader sr 53503

+1 cc to Mr.V.Thiyagu Advocate sr 52866

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