

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.38247 of 2016

and

W.M.P.Nos.32796 & 32797 of 2016

J.Saravanan ... Petitioner

Vs.

1.The District Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
No.59-A, Ware Housing Corporation,
Chennai Trunk Road, Villupuram-605 602.

2.Mr.A.Udayakumar,
Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
Trichy Region, No.19, TS.No.39/I.P.
Gandhi Nagar, Pon Nagar, Trichy-620 001. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the order of the 1st respondent bearing proceedings in Na.Ka.No.R.V.03/10/(11424) 2014, dated 13.10.2016 and to quash the same and consequently, to direct the respondent herein to reinstate the petitioner into service with continuity of service and all attended benefits.

For Petitioner : Mr.D.Saraswathi

For respondents : Mr.B.Nedunchezhiyan

* * * * *

ORDER

This writ petition has been filed by the petitioner, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 1st respondent bearing proceedings in Na.Ka.No.R.V.03/10/(11424)2014, dated 13.10.2016 and to quash the same and consequently, to direct the respondents to reinstate the

petitioner into service with continuity of service and all attended benefits.

2.It is stated by the petitioner that he is working as Salesman in Shop No.11424 of TASMAL at Gingee Town, Villupuram District. On 03.10.2016 around 7.00 pm, the petitioner left the shop after finishing his duty. At that time, the 2nd respondent herein conducted a surprise inspection in the said shop. It is alleged that during the surprise inspection, a shortage of Rs.10,367/- was found. Thereafter, the petitioner was shocked to receive a suspension order dated 13.10.2016 with immediate effect. According to the petitioner, on 04.10.2016, the Auditor inspected the shop and found that there was only Rs.110/- was shortage. Challenging the suspension order, the petitioner has come forward with the present writ petition.

3.Though the present writ petition has been filed seeking to quash the impugned suspension order, when the matter is taken up for consideration, at the time of argument, the learned counsel for the petitioner submitted that if a direction is given to the respondents to conduct the enquiry and complete the same, within a time frame, it would suffice.

4.Heard the learned counsel appearing for the respondents also.

5.In view of the submission made by the learned counsel appearing for the petitioner, without going into the merits of the claim made by the petitioner, this Court directs the respondents to conduct the enquiry and complete the same, within a period of twelve weeks from the date of receipt of a copy of this order. So far as the suspension order is concerned, the petitioner is at liberty to make representation to the respondents for revocation of suspension order and on receipt of such representation, the respondents are directed to consider the same and to pass appropriate orders on merits and in accordance with law.

With the above terms, the writ petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

SSV

To

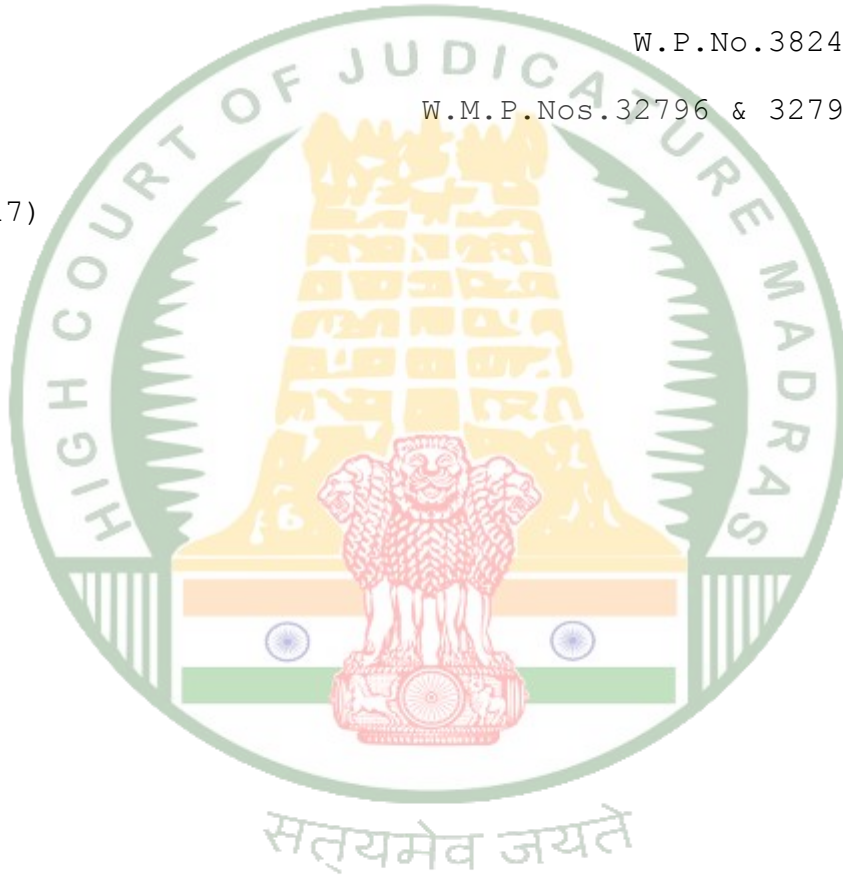
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