

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.38249 of 2016

and

W.M.P.Nos.32799 to 32801 of 2016

C.Srinivasan

.. Petitioner

Vs.

The District Manager,

Arakkonam District,

Tamil Nadu State Marketing Corporation Ltd (TASMAC),

SIPCOT, Ranipet,

Vaalaja Taluk, Vellore District. ... Respondent

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 passed by the respondent, dated 10.06.2015 in Se.Mu.Na.Ka.No.A2/968/C.V/2015 and quash the same and direct the respondent to reinstate the petitioner into service.

For petitioner : Mr.P.Suresh Babu

For respondent : Mr.C.Kasirajan

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the order passed by the respondent, dated 10.06.2015 in Se.Mu.Na.Ka.No.A2/968/C.V/2015 and quash the same and direct the respondent to reinstate the petitioner into service.

2. It is the case of the petitioner that he was working as Supervisor in TASMAC Shop No.11329 at Vaniyampadi. The Assistant Commissioner, Excise, Vellore District, conducted an inspection on 16.10.2014 in the shop and noticed some alleged irregularities in the shop and suspended the petitioner from service with effect from 06.11.2014 forenoon. The respondent did not serve any notice before issuing the suspension order. Hence, the petitioner approached the District Manager, the respondent herein and requested for reinstatement and accordingly, the petitioner was reinstated into service in TASMAC Shop No.11062, by order dated 01.01.2015.

3. It is the further case of the petitioner that while he was working as Supervisor in Shop No.11062, the respondent conducted inspection in Shop No.11329 and found some irregularities and based on the inspection, the petitioner was suspended from service, by order dated 10.06.2015 passed by the

respondent. Thereafter, a charge-memo, dated 15.06.2015 was served on the petitioner and he was directed to submit his explanation, which was submitted by the petitioner on 11.02.2016. Thereafter, Enquiry Officer was appointed by proceedings, dated 12.02.2016 and the Enquiry Officer conducted the enquiry on 20.02.2016. Thereafter, there was no progress in the disciplinary proceedings and subsistence allowance was also not paid to him. Hence, the petitioner has filed this Writ Petition for the above relief.

4. Taking into consideration the fact that the enquiry proceedings have not been continued, the respondent is directed to complete the enquiry and pass appropriate orders, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Pending enquiry, the respondent is also directed to pay the eligible subsistence allowance to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

5. With the above observations and directions, the Writ Petition is disposed of. No costs. W.M.Ps. are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

cs

Copy to
The District Manager,
Arakkonam District,
Tamil Nadu State Marketing Corporation Ltd (TASMAC),
SIPCOT, Ranipet,
Vaalaja Taluk, Vellore District.

+1 cc to Mr.C.Kasi Rajan Advocate sr 67788
+1 cc to Mr.P.Suresh Babu Advocate sr 67841

W.P.No.38249 of 2016

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