

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.12.2016
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.No.42998/2016

P.Shanmugam

Vs

Petitioner

The District Manager
IMFS Depot, TASMAC Ltd.,
[Tamilnadu State Marketing Corporation Ltd]
No.29 & 30, Industrial Estate
Tiruvallur, Tiruvallur District.

Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to forthwith allow the petitioner to work as salesman in any one of the TASMAC shop in Tiruvallur District by considering the petitioner representation dated 05.04.2013.

For Petitioner : Mr.P.Suresh Babu
For Respondent : Mr.C.Kasirajan

ORDER

By consent, the writ petition is taken up for final disposal. Mr.C.Kasirajan, learned counsel accepts notice on behalf of the respondent.

2 The petitioner would state that he was appointed as Shop Supervisor in respect of the Retail Vending Shops run by the Tamil Nadu State Marketing Corporation Limited [TASMAC] on 02.01.2004, vide proceedings of the respondent and was given a consolidated pay of Rs.2000 per month and he has paid a sum of Rs.50,000/- by way of security deposit and he was working continuously in that capacity for more than five years without any complaint.

3 The petitioner while working in that capacity in Shop No.8876, took 7 days leave on 01.04.2009 to attend to his health problems and subsequently, got admitted in hospital as an in-patient and since it was diagnosed that he was suffering from viral fever, he was advised to take bed rest and therefore, he made request to the respondent for grant of one month leave from 01.04.2009 to attend to his health problem. The petitioner,

after recovery and on the expiry of

the leave, reported before the Shop Supervisor and he was asked to meet the respondent herein and accordingly, the petitioner met the respondent on 16.09.2009, praying for issuance of posting order and however, he was not favoured with any kind of response and the petitioner, in this regard has submitted representations dated 16.09.2009, 03.01.2010, 08.05.2010, 04.08.2011, 06.01.2012 and 05.04.2013 respectively and in spite of receipt and acknowledgment, no orders have been passed and therefore, the petitioner came forward to file the present writ petition.

4 Heard the submissions of the learned counsel for the petitioner and Mr.C.Kasirajan, learned counsel appearing for the respondent.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's representation dated 05.04.2013 on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

AP

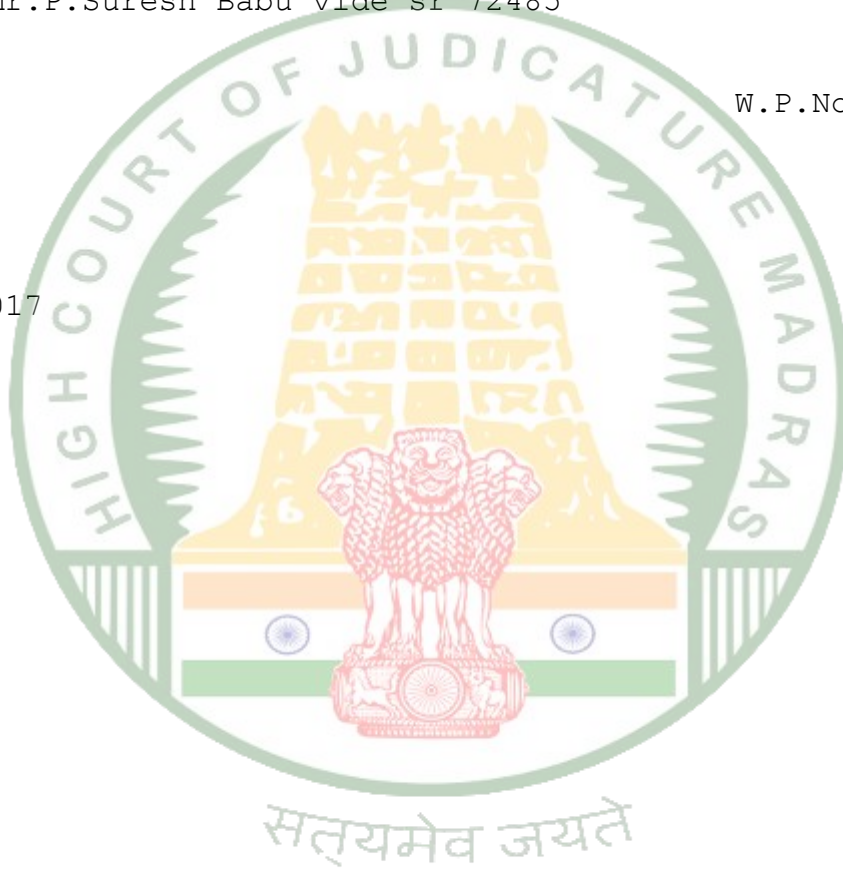
To

The District Manager
IMFS Depot, TASMAL Ltd Corporation
[Tamilnadu State Marketing Ltd]
No.29 & 30, Industrial Estate
Tiruvallur, Tiruvallur District.

+1 cc to Mr.P.Suresh Babu vide sr 72485

W.P.No.42998/2016

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