



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.19485 of 2016

S.Vallinayagam

... Petitioner

vs.

1)The Managing Director,
Tamil Nadu Civil Supplies Corporation,
12, Thambusamy Road,
Kilpauk, Chennai-600 010.

2)The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Dindigul.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to reconsider the dismissal order dated 27.07.2000 passed against the petitioner in the light of the order of acquittal acquitting the petitioner from the C.C.No.29 of 2009 passed by the Learned Judicial Magistrate No.3, Dindigul dated 03.08.2009 and that of Learned Chief Judicial Magistrate, Dindigul, order passed in Cr.M.P.Nos.903 to 911 of 2015 in C.C.Nos.26 to 34 of 2014 dated 14.03.2016 based on petitioner's representation dated 11.07.2016.

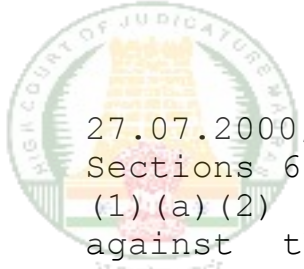
For Petitioner : Mr.D.Srinivasaragavan

For Respondents : Mr.P.Seetharaman

ORDER

This Writ of Mandamus has been filed to direct the respondents to reconsider the dismissal order dated 27.07.2000 passed against the petitioner in the light of the order of acquittal acquitting the petitioner from C.C.No.29 of 2009 passed by the learned Judicial Magistrate No.3, Dindigul dated 03.08.2009 and that of the order passed by the learned Chief Judicial Magistrate, Dindigul, in Cr.M.P.Nos.903 to 911 of 2015 in C.C.Nos.26 to 34 of 2014 dated 14.03.2016 based on petitioner's representation dated 11.07.2016.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The petitioner was appointed as Watchman on 04.10.1984; he was promoted as Bill Clerk in 1987; he was suspended on certain allegations; after enquiry, he was dismissed from service on



27.07.2000; for the very same charges, a criminal case under Sections 6(2)(3) and 13(a) of TNSC(RDCS) Order 1982 r/w Section 7 (1)(a)(2) of Essential Commodities Act, 1955 was registered against the petitioner in C.C.No.29/2009; after trial, the petitioner was acquitted by judgment dated 03.08.2009; therefore, the petitioner submitted a representation dated 11.07.2016 to the respondents to reconsider the order of dismissal passed citing his acquittal from the criminal case; that representation was not considered and therefore, the petitioner has filed this writ petition.

3.The learned standing counsel appearing for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner dated 11.07.2016 and to pass orders within a time frame.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 11.07.2016 in the light of the petitioner's acquittal from the criminal case and to pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1)The Managing Director,
Tamil Nadu Civil Supplies Corporation,
12, Thambusamy Road, Kilpauk, Chennai-600 010.

2)The Regional Manager,
Tamil Nadu Civil Supplies Corporation, Dindigul.

+1 CC to M/s.D.SRINIVASA RAGHAVAN, Advocate, SR No.60316

+1 CC to M/s.P.SEETHARAMAN, Advocate, SR No.59712

W.P (MD) No.19485 of 2016

06.10.2016

nbi

SH/GSV-PM:24.10.2016:2P/5C