

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8231 of 2014

&

M.P.No.1 of 2014

&

W.M.P.No.33522 of 2016

A.Bhaskaran

... Petitioner

vs.

The District Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Vellore District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the proceedings of the respondent in Che.Mu.Na.Ka.No.A2/1300 (IV) /C.V/2013 dated 09.11.2013 and quash the same and consequently direct the respondent herein to reinstate the petitioner with all consequential and attendant benefits.

For Petitioner : Mr.Balamuralikrishnan
for Mr.V.Rajnikanth
For Respondent : Mr.P.Arumuga Rajan

O R D E R

The petitioner was appointed as Shop Supervisor in TASMAC Retail Outlet at Gudiyatham, Vellore District. The petitioner was paid a consolidated pay of Rs.3,000/- per month. However, on account of certain allegations during the surprise inspection, the writ petitioner was terminated from service.

2.The learned counsel appearing for the writ petitioner states that the petitioner was terminated from service without any show-cause notice and without affording an opportunity of personal hearing and thereby, principles of natural justice has been violated.

3. On perusal of the impugned order, this Court is able to find that there is no reference with regard to the issuance of any show-cause notice or providing of opportunity to the petitioner in this regard.

4. The learned counsel appearing for the respondents is also unable to dispute the fact that an opportunity was provided to the writ petitioner before issuing the impugned order of relieving.

5. Such being the fact of the case, this Court is inclined to consider this writ petition. Accordingly, the impugned order passed by the respondent in proceedings dated 09.11.2013 is quashed. However, it is left open for the respondent to initiate appropriate action, if necessary, by providing reasonable opportunity contemplated under the rules and thereafter pass orders in accordance with law. With this liberty, the writ petition stands allowed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

gpa

To

The District Manager
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Vellore District

+1cc to Mr.P.Arumuga Rajan Advocate, S.R.No. 81191

+1cc to Mr.V.Rajnikanth Advocate, S.R.No. 81840

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KJI (CO)
TR(06/12/2017)