

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2069 of 2017

1 C.Sampath
S/o.Chinnappaian Pinjur Village
Chengam Taluk Thiruvannamalai District
Petitioner

Vs

1 The Chief Managing Director
Tamilnadu State Marketing Corporation
Anna Salai Chennai-2
2 The Chief Regional Manager
Tamilnadu State Marketing Corporation
Salem
3 The District Manager
Tamilnadu State Marketing Corporation
No.62/70 Anna Salai Thiruvannamalai 606 601
Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to pass an order on the petitioners revision petition dated 12.10.2015 in consonance with the order passed by the Honourable High Court in W.P.No.22116 of 2015 dated 23.7.2015 and reinstate the petitioner in service as a sales man in shop No.9434 Periyakaloor Polur Taluk TASMAL Shop.

For petitioner : Mr. S. Venkatesh
For respondents : Mr. C. Kasirajan,
Standing Counsel for TASMAL

ORDER

Mr. C. Kasirajan, learned Standing Counsel accepts notice on behalf of respondents 1 to 3.

2. By consent, the writ petition is taken up for final disposal.

3. The petitioner is appointed as a Salesman in the services of Tamil Nadu State Marketing Corporation in Shop No.9419 at Cuddalore by the third respondent by proceedings No.Na.Ka.A2.904/03 dated 05-01-2004 and transferred and appointed as a Salesman in shop No.9439 at Periyakalur Village, Polur Taluk, Thiruvannamalai District. The petitioner would further aver that a surprise inspection was conducted on 30-11-2012 by the third respondent and he found out certain irregularities in the form of loose sales of liquor was found out. The petitioner along with other salesman viz., C. Gandhi and Supervisor J. Kannan faced departmental proceedings and after enquiry, the petitioner was removed from service on 01-04-2015. The petitioner made a challenge to the order of the first respondent. Though he was called upon to appear, no orders have been passed.

4. Mr. S. Venkatesh, learned counsel appearing for the petitioner would submit that co-delinquent C. Gandhi in W.P.No.22116 of 2015 with a consequential prayer for reinstatement. It was allowed on 23-07-2015 and in compliance, the said Gandhi was also reinstated in service. Since the petitioner is similarly placed, he prays for a similar order.

5. Heard the submissions of the learned counsel for the petitioner and the learned Special Government Pleader.

6. Though the petitioner prays for a larger relief, this Court, in the light of the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, directs the first respondent to consider the revision petition dated 12-10-2015, in accordance with law taking into note of the order dated 23-07-2015 passed by this Court in W.P.No.22116 of 2015, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

7. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

- 1 The Chief Managing Director
Tamilnadu State Marketing Corporation
Anna Salai Chennai-2
- 2 The Chief Regional Manager
Tamilnadu State Marketing Corporation
Salem
- 3 The District Manager
Tamilnadu State Marketing Corporation
No.62/70 Anna Salai Thiruvannamalai 606 601

+lcc to Mr.S. Venkatesh, Advocate, S.R.No.5424

ak(CO)
md(13/02/2017)

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