

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.02.2017
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.No.3569/2017 & WMP.No.3603/2017

S.Karunanithi

..

Petitioner

Vs

1.The Managing Director
Tamil Nadu State Marketing Corporation Ltd.,
Egmore, Chennai 600 008.

2.The Senior Regional Manager
Tamil Nadu State Marketing Corporation Ltd.,
Tiruchirappalli.

3.The District Manager
Tamil Nadu State Marketing Corporation Ltd.,
Nagapattinam District at Tirubhuvanam
Thanjavur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass orders on the revision petition dated 21.04.2016 filed by the petitioner against the order of the 2nd respondent bearing Moo.Mu.No.1233/2016/U dated 16.09.2016 confirming the order of the 3rd respondent bearing Na.Ka.No.94/2016/A dated 23.03.2016.

For Petitioner : Mr.S.Ayyathurai
For Respondents: Mr.C.Kasirajan

ORDER

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

2 The petitioner joined the services of the Tamil Nadu State Marketing Corporation Limited [TASMAC] as Bar Attender and got his promotion as Assistant Salesman and though he was diligently, discharging his duties, he was suspended from services during January 2016 on the false charge that the Flying Squad seized four bottles containing 10 ml quantity of liquor ; one small knife and 33 bottle caps with rings and on the same set of allegations, the Supervisor of the shop was also suspended. Though the petitioner has submitted plausible explanation, it was not considered in a proper perspective and

an enquiry was ordered, which according to the petitioner was also not conducted in accordance with the principles of natural justice and the Enquiry Officer held that the charge framed against the petitioner has been proved and the petitioner was called upon to submit his explanation and he has also submitted the same and without taking into consideration of the same, the petitioner was imposed with the order of punishment of dismissal from service by the 2nd respondent. Challenging the same, the petitioner has filed an appeal before the 2nd respondent, who vide order dated 16.09.2016 had also dismissed the appeal. The petitioner immediately filed a revision to the 1st respondent on 28.09.2016 in person and though it was received and acknowledged, no orders have been passed so far and hence, the petitioner came forward to file the present writ petition.

3 Mr.S.Ayyathurai, learned counsel appearing for the petitioner would submit that the principles of natural justice have been given a go-by while initiating and passing final orders in the disciplinary proceedings initiated against the petitioner and it would be suffice to direct the 1st respondent to dispose of the revision at an early date.

4 This Court heard the submissions of Mr.C.Kasirajan, learned Standing Counsel appearing for the respondents.

5 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more reminder to the 1st respondent for the disposal of his revision petition along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the 1st respondent is directed to consider the revision petition submitted by the petitioner on merits and in accordance with law and pass orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Managing Director

Tamil Nadu State Marketing Corporation Ltd,
Egmore, Chennai-600 058

2. The Senior Regional Manager

Tamil Nadu State Marketing
Corporation [Kovai] Limited, Tiruchirappalli
Erode.

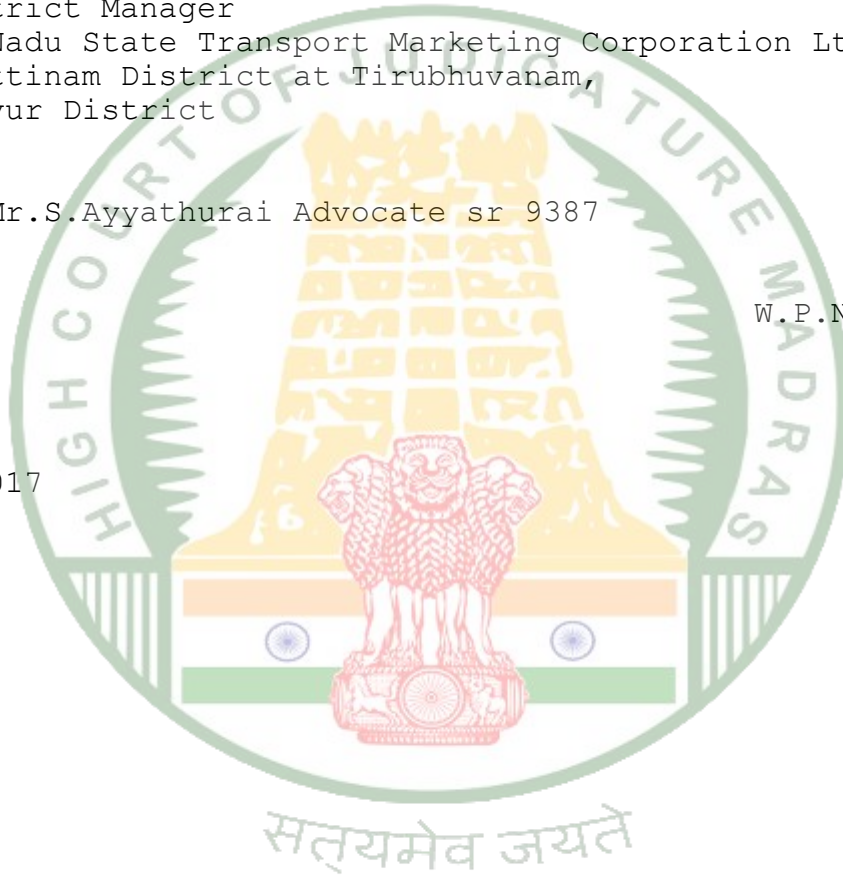
3.The District Manager

Tamil Nadu State Transport Marketing Corporation Ltd,
Nagapattinam District at Tirubhuvanam,
Thanjavur District

+1 cc to Mr.S.Ayyathurai Advocate sr 9387

W.P.No.3569/2017

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