

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

W.P.No. 377 of 2014
& W.M.P.No.228 of 2017

C.Jaisankar

..Petitioner

Vs.

The Tamil Nadu State Marketing
Corporation Ltd. (TASMAC)
Rep. By its District Manager
Bharathi Puram
Dharmapuri, Dharmapuri District.

..Respondent

Prayer: Writ petition is filed under Article 226 of The Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, calling for the records relating to the order of the respondent dated 04.12.2013 in Na.Ka.No.32/2013/c.v-2 and quash the same and consequently direct the respondent to forthwith reinstate the petitioner in service as a Salesman by considering and passing orders on the representation of the petitioner dated 11.12.2013.

For Petitioner : Mr.K.Selvaraj
For Respondents : Mr.B.Nedunchezhiyan

O R D E R

With the consent of the learned counsel appearing for the parties, the writ petition itself is taken up for disposal.

2. The writ petitioner before this Court is an employee of Tamil Nadu State Marketing Corporation Limited ('TASMAC' for brevity).

3. It is the case of the writ petitioner that he was facing considerable difficulty in discharging his duties while working in TASMAC Wine Shop No.2816 in Dharmapuri from 20.11.2003.

4. The writ petitioner submits that he was put to difficulty by an attender at the bar attached to the said wine shop.

5. It is also noticed from the typed set of papers that on 06.07.2005, the writ petitioner has taken back the security deposit, which he had made at the time of entering service. However, the writ petitioner now contends that this act of his was done when he was mentally disturbed and was under stress owing to the above said difficulty in discharging his duties.

6. Citing the fact that the writ petitioner taking back the security deposit, TASMAC Management is now taking the stand that the relationship between the TASMAC and the writ petitioner stands completely severed. An order to that effect was passed by TASMAC being order dated 04.12.2013 bearing Na.Ka.No.32/2013/c.v-2 and the same is now impugned order in the instant writ petition.

7. Be that as it may, Mr.K.Selvaraj, learned counsel for the writ petitioner at the time of hearing abridges/restricts his prayer and states that the petitioner would be satisfied if there is a mandamus directing the respondent to dispose of his representation dated 11.12.2013, given to the respondent. The representation is found at page No.8 of the typed set of papers and the postal acknowledgement card has also been annexed at page No.9.

8. Considering the abridged/restricted prayer sought by the learned counsel for the petitioner, the respondent is directed to dispose of the above said representation dated 11.12.2013, in a manner known to law after giving an opportunity of being heard to the writ petitioner, as expeditiously as possible and in any event, within a period of four weeks from the date of receipt of a copy of this order.

9. The writ petition is disposed of in the above terms. Consequently, connected miscellaneous petition is also closed. Considering the nature of the matter, the parties are left to bear their respective costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

gsa/jv/vsi2

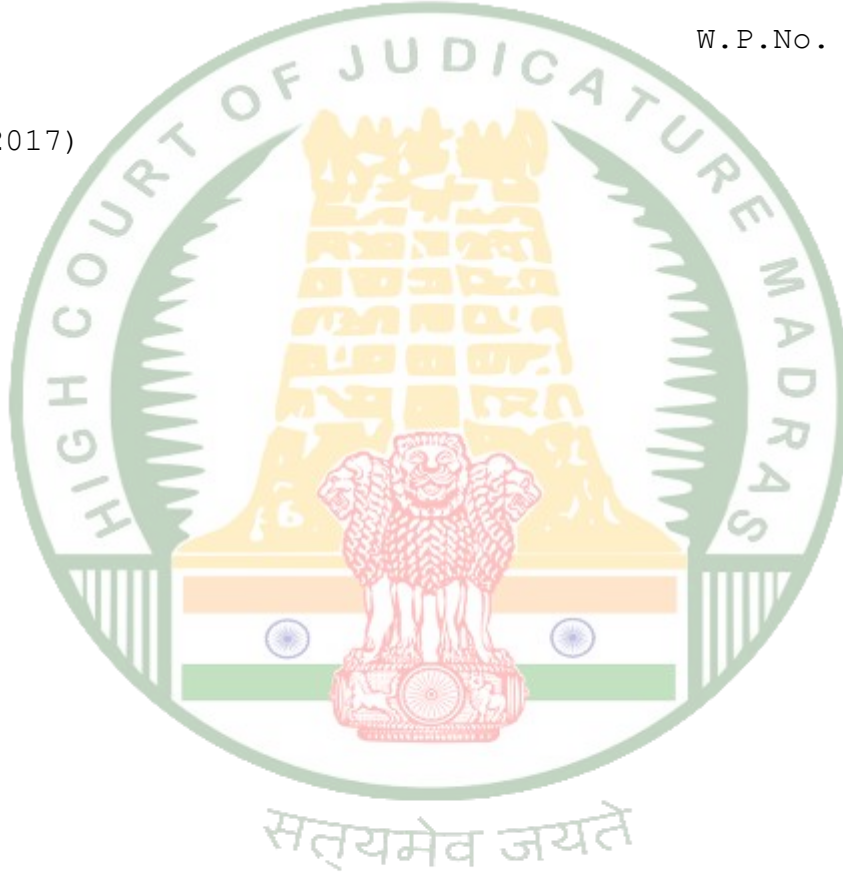
To

The District Manager
Tamil Nadu State Marketing Corporation Ltd. (TASMAC)
Bharathi Puram
Dharmapuri,
Dharmapuri District.

+1cc to M/S.K.Selvaraj, Advocate Sr. 41349

W.P.No. 377 of 2014

VGI (CO)
VR(28/06/2017)



WEB COPY