



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **15.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. (MD) No.1146 of 2013
and M.P. (MD) No.1 of 2013

1.Palanisamy
2.Mohan Kumar : Appellants/Petitioners

Vs.

1.The District Manager (In-charge),
Tamil Nadu State Marketing Corporation Ltd.,
Virudhunagar District.
2.The Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
100, Anna Salai,
Madurai. : Respondents/ Respondents

PRAYER: Writ Appeal is filed under clause 15 of the Letters Patent, against the order dated 07.10.2013 passed by the learned Single Judge in W.P.(MD) No.16514 of 2013.

Prayer in WP(MD). 16514/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari or any other order or direction in the nature of writ calling for the records pertaining to the impugned order passed by the 1st Respondent in his Proceedings Na.Ka. No. C.V-8/20/13 dated 27.08.2013 and quash the same.

For Appellants : Mr.K.Seemaraj
For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader

JUDGMENT

[Judgment of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.K.Seemaraj, learned counsel appearing for the appellants and Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents.

2.This Writ Appeal has been filed by the writ petitioners,
<https://hcservices.ecourts.gov.in/hcservices/>
challenging the order passed in W.P.(MD) No.16514 of 2013 dated 07.10.2013.



3.The said writ petition challenged the order of suspension dated 27.08.2013, passed against the appellants on the ground that criminal case has been registered under Section 24 of the Tamil Nadu Prohibition Act. The Writ Court dismissed the writ petition on the ground that a criminal case has been registered against the appellants and hence there is no error in the order of suspension.

4.The present appeal is pending since 2013. It is not known whether the order of suspension has been revoked as on date and as well as the fate of the criminal case. If the suspension is not yet revoked, then it is a prolonged suspension, which has been deprecated by the Courts. Hence, we are inclined to pass appropriate directions.

5.Accordingly, this Writ Appeal is allowed and the impugned order dated 07.10.2013 is set aside and the respondents are directed to review the order of suspension, if not already done, and reinstate the petitioners, subject to the out come of the criminal case and post them in a non-sensitive and a far of place. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The District Manager (In-charge),
Tamil Nadu State Marketing Corporation Ltd.,
Virudhunagar District.

2.The Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
100, Anna Salai,
Madurai.

+1 CC to M/s.K.SEEMARAJ, Advocate, SR No. 60331.

LS/SJ

PSM/KP/SAR1/27.06.2017/2P/4C

ORDER MADE IN
W.A. (MD) No.1146 of 2013
and M.P. (MD) No.1 of 2013
Dated:15.06.2017