

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.23069 of 2016
and W.M.P.No.19760 of 2016

A.Sakthivel

.. Petitioner

Vs

1. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation,
Coimbatore

2. The Sub-Collector/
The District Manager,
Retail Vending,
TASMAC,
Tiruppur, Coimbatore District

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the entire records connected with the proceedings of the second respondent in Na.Ka.No.933/2015/A dated 08.12.2015 and quash the same as illegal and direct the respondents to re-instate the petitioner as Salesman in the Respondent TASMAC shop.

For Petitioner : Mr.K.Thilakesaran
for M/s.M.Subha

For Respondents : Mr.K.Sathishkumar
Standing Counsel

ORDER

The petitioner has come to challenge the order of dismissal passed against him in a disciplinary proceeding initiated by the respondents.

2. Admittedly, the aforesaid order is appealable one. The petitioner without approaching the appellate forum, has come to file this writ petition but nothing having been brought to this Court that there was violation of fundamental rights or the aforesaid order was passed without compliance of the principles of natural justice, hence, this Court is not inclined to entertain the writ petition inasmuch as the petitioner has filed this writ petition without exhausting the alternative remedy.

3. Therefore, this Court disposes of this writ petition giving the liberty to the petitioner to approach the appellate forum within a period of one month hence and if such appeal is filed by the petitioner, the appellate Authority shall consider and dispose of such appeal notwithstanding there was delay inasmuch as the petitioner was seeking remedy of his grievance bonafidely in this writ petition before this Court, hence the delay. Needless to say that if such appeal is filed, the same shall be disposed of preferably within a period of two months of such filing, if there is no other legal impediment for such disposal. Consequently, connected miscellaneous petition is closed. However, in the circumstances there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation,
Coimbatore

2. The Sub-Collector/
The District Manager,
Retail Vending,
TASMAC,
Tiruppur, Coimbatore District

+1cc to Mr.K.SathishKumar, Advocate SR.NO.55123

sm:10.9.2018

W.P.No.23069 of 2016

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