



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Nineteenth day of June Two Thousand Eighteen
PRESENT

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The Hon`ble Mr.Justice R.SURESH KUMAR

WMP(MD) Nos.11811, 11813 and 11815 of 2018
IN
WP(MD) Nos.12924 to 12926 of 2018

D.THILAGAR,	... PETITIONER IN WMP(MD)No.11811/18 IN WP(MD)No.12924/18
D.ILAVARASAN	... PETITIONER IN WMP(MD)No.11813/18 IN WP(MD)No.12925/18
B.JAYACHANDRAN	... PETITIONER IN WMP(MD)No.11815/18 IN WP(MD)No.12926/18
Vs	

THE DISTRICT MANAGER/DEPUTY COLLECTOR, TAMILNADU STATE MARKETING CORPORATION, THANJAVUR.	... RESPONDENT/RESPONDENT IN ALL THE PETITIONS
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Prayer in WMP(MD). 11811/ 2018 IN WP(MD)No.12924/18:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the operation of the impugned order passed by the respondent in Na.Ka.No.8044 / A1 / 2018 dated 28/03/2018 .

Prayer in WMP(MD). 11813/ 2018 IN WP(MD)No.12925/18:

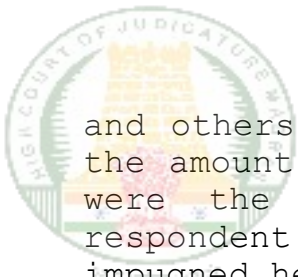
To stay the operation of the impugned order passed by the respondent in Na.Ka.No.8044/A1/2018 dated 28.03.2018.

Prayer in WMP(MD). 11815/ 2018 IN WP(MD)No.12926/18:

To stay the operation of the impugned order passed by the respondent in Na.Ka.No.8044 / A1 / 2018 dated 28/03/2018.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.M.ARUMUGAM, Advocate for the petitioner in all the petitions and of MR.H.ARUMUGAM, Advocate for the Respondent in all the petitions and while admitting the Writ Petitions, the court made the following order:-

COMMON ORDER



and others were working. Pursuant to the same, some deficiency in the amount remitted was found with the result, the petitioners, who were the Salesmen and two Supervisors were suspended by the respondent by his proceedings dated 28.03.2018, which is the order impugned herein.

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2.The very next day i.e. on 29.03.2018, a Supervisor one R.Chandrasekaran had given a written commitment stating that he had been responsible for the shortage and accordingly, he paid the entire sum of Rs.7,02,230/- to the respondent and he had also given a categorical statement that he alone was responsible for the shortage and all other Supervisor and Salesmen were not responsible.

3.In spite of this written commitment given by one Supervisor and the entire amount found to be shortage since have been paid by the said Supervisor, charge memo dated 02.04.2018 has been issued against the petitioners, for which the petitioners had given reply on 07.05.2018, however, no further progress has been shown and the petitioners had been placed under suspension till date.

4.Since one Supervisor had been responsible for the shortage and in fact, he has paid the entire amount, there is no gainsaying in retaining the petitioners under suspension and therefore, this Court, in view of the said prima facie case, is inclined to grant interim order of stay.

5.Accordingly, there shall be an order of interim stay of the impugned order. Notice.

sd/-
19/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE DISTRICT MANAGER/DEPUTY COLLECTOR,
TAMILNADU STATE MARKETING CORPORATION, THANJAVUR.

+1. C.C. to M/S.C.M.ARUMUGAM Advocate SR.No.10876

ORDER
IN
WMP(MD) Nos.11811, 11813
and 11815 of 2018
IN WP(MD) Nos.12924 to
12926 of 2018
Date :19/06/2018