



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.12658 of 2018

A.Augustin

... Petitioner

Vs.

1. The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation (TASMAC)
Madurai.

2. The District Manager (South)
Tamil Nadu State Marketing
Corporation (TASMAC)
Madurai.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 14.04.2018 preferred by the petitioner against reverting/posting the petitioner as Supervisor No.II and to transfer him to the Shop No.5171 as Supervisor.

For Petitioner : Mr.V.P.Rajan

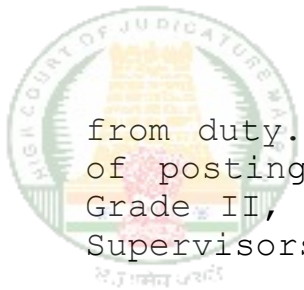
For Respondents : Mr.H.Arumugam

O R D E R

The prayer sought for in this writ petition is for a writ of mandamus, directing the 1st respondent to dispose of the appeal dated 14.04.2018 preferred by the petitioner against reverting/posting the petitioner as Supervisor No.II and to transfer him to the Shop No.5171 as Supervisor.

2.Heard Mr.V.P.Rajan, learned counsel for the petitioner and Mr.H.Arumugam, learned standing counsel appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner is working as Supervisor in the respondent Organization and while so, a show cause notice was issued against him. Before he gives reply, he has been relieved



from duty. Subsequently, though he has been taken back, instead of posting him as Supervisor, he has been posted as Supervisor Grade II, whereas, similarly placed persons have been given only Supervisors.

4. The learned counsel would further submit that as per the service rule, which was in vogue, there is no scope for posting the petitioner as Supervisor Grade II. Therefore, in this regard, as against the order passed by the second respondent, he preferred an appeal to the first respondent on 14.04.2018 and if the said appeal pending before the first respondent is directed to be considered and an order to that effect is directed to be passed, the petitioner would be satisfied.

4. I have heard the learned standing counsel appearing for the respondents, who would submit that the said appeal filed by the petitioner pending before the first respondent would be considered on merits and in accordance with law and an order to that effect would be passed, within a stipulated time that may be fixed by this Court.

5. Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The first respondent is directed to consider and pass orders on the appeal dated 14.04.2018 filed by the petitioner, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order".

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

+ 1 cc TO Mr.H.Arumugam , Advocate in SR No. 68778

+ 1 cc TO Mr.V.P.Rajan , Advocate in SR No. 68946

Arul

AE/SV MMS/SAR1/28.06.2018/2P/3C