



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.09.2018

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.4391 of 2016

and

W.M.P(MD)Nos.3922 and 3923 of 2016

Anburamaraja

..Petitioner

Vs

1.The Managing Director,  
TASMAC Limited,  
Chennai.

2.The Zonal Manager,  
TASMAC Limited,  
Anna Nagar,  
Madurai -20.

3.The District Manager,  
Office of the District Manager,  
TASMAC Limited, Sivagangai,  
Sivagangai District.

..Respondents.

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records in Na.Ka.No.V2/863/2013, dated 31.5.2013 passed by the third respondent and to quash the same and consequently direct the respondent to reinstate the Petitioner as a Supervisor at TASMAC Shop No.7719, Kallapur, Thirupatthur Taluk, Sivagangai District.

For Petitioner :Mr.D.Rameshkumar

For Respondents :Mr.H.Arumugam

### ORDER

The Petitioner has come forward with this Writ Petition to quash the impugned order passed by the third respondent in Na.Ka.No.V2/863/2013, dated 31.5.2013 and consequently direct the respondent to reinstate the Petitioner as a Supervisor at TASMAC Shop No.7719, Kallapur, Thirupatthur Taluk, Sivagangai District.

2.Hear the learned counsel appearing on either side and perused the materials placed before this Court.



3. When the matter is taken up for hearing, it is represented by the learned counsel for the respondents that the Petitioner has been dismissed from service.

4. The learned counsel for the Petitioner submit that there is an interim order of stay of suspension and that the above said order has not been communicated to the Petitioner.

5. A reading of the interim order would make it clear that the stay has been granted only for four weeks, which has not been subsequently extended. Even assuming that there is an unlimited stay, it is only stay on the order of suspension and not stay of the disciplinary proceedings. Moreover, the respondents have proceeded to pass final orders dismissing the Petitioner from service. Hence no further adjudication is required in the present Writ Petition. It is open to the Petitioner to challenge the dismissal order passed by the management by raising industrial dispute before the appropriate forum.

6. With the above observation, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS-I)

+1 CC To MR.D.RAMESH KUMAR, Advocate SR. NO. 85677

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**and**

**W.M.P (MD) Nos. 3922 and**

**3923 of 2016**

**19.09.2018**

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TR/SKN/SAR-I (26.10.2018) 2P 2C