

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.2908 of 2019

M.Kumar

...Petitioner

Vs

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
4th Floor, CMDA Tower-II,
Egmore, Chennai-8.
- 2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
Salem.
- 3.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Vellore-1.
- 4.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Arakkonam Division,
Vellore District.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to regularise the period of suspension from 15.07.2013 to 17.07.2018 as continuous service and to pay the back wages for the said period with all attendant benefits.

For Petitioner : Mr.A.Nagarathinam
For Respondents : Mr.John Kennedy

WEB COPY
O R D E R

The case of the petitioner is that while the petitioner was working as Shop Supervisor in IMFL Retail Shop No.11227, Banavaram, Vellore District, he was issued with a charge sheet by the third respondent and thereafter he was terminated from service. The appeal filed by the petitioner before the second respondent also got dismissed. Thereafter, the petitioner filed a writ petition before this Court in W.P.No.26031 of 2014 and

the said writ petition was ordered on 27.11.2017 quashing the orders impugned therein. Thereafter, the third respondent conducted enquiry and the enquiry officer submitted a report holding that the charges against the petitioner are not proved. The fourth respondent also passed an order reinstating the petitioner into service. But the monetary benefits for the period of suspension was not given to the petitioner. Hence the petitioner made a representation dated 24.07.2018 to the fourth respondent to provide the said benefit. He also made a representation dated 04.12.2018 to regularise the period of suspension. Now the petitioner has come up with this writ petition for a direction to the respondents to that effect.

2.Mr.John Kennedy, learned counsel, takes notice for the respondents.

3.Considering the facts and circumstances of the case, the respondents 3 and 4 are directed to consider the representation dated 04.12.2018 made by the petitioner, on merits and in accordance with law, and pass appropriate orders in the light of the enquiry report, within a period of six weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

KM
To

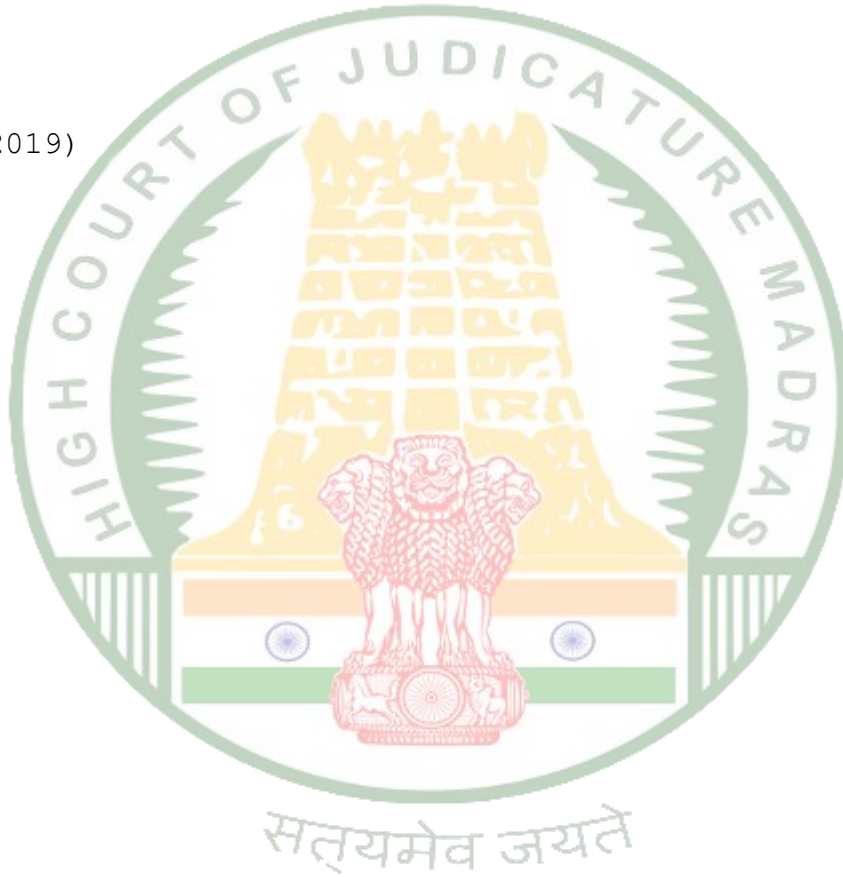
- 1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
4th Floor, CMDA Tower-II,
Egmore, Chennai-8.
- 2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
Salem.
- 3.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Vellore-1.

4.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
Arakkonam Division,
Vellore District.

+1 CC to Mr.A.Nagarathinam, Advocate sr 8727.

W.P.No.2908 of 2019

VD(CO)
SP(04/03/2019)



WEB COPY