

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2019

CORAM

THE HON'BLE Mr. JUSTICE N.SATHISH KUMAR

W.P.No.14824 of 2019

and

W.M.P.Nos.14808 & 14810 of 2019

R. Arivazhan

... Petitioner

Vs

The District Manager,
Tamil Nadu State Marketing Corporation Ltd.
MSR Complex Dayalan Street, Goundampalayam,
Coimbatore-641 030.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to permit the petitioner to resume his duty as shop assistant salesman.

For Petitioner : Mr.N.Alagu Narayanan

For Respondent : Mr.K.Satish Kumar
Standing counsel

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and Mr.Sathish Kumar, learned Standing counsel who accepted notice for respondent.

3. The learned counsel appearing for the petitioner would contend that in the light of the Division Bench order dated 27.04.2019 in W.A.No.796 of 2019, similarly placed persons were already reinstated on payment of the amount payable by them towards shortage found by the Management. The learned counsel also submits that the Petitioner herein is also prepared to pay the amount as mentioned by the respondent.

4. In view of the above submission of the learned counsel for the Petitioner and in the light of the Judgment of the Division Bench dated 27.04.2019 in W.A.No.796 of 2019, the District Manager viz., the Respondent is directed to reinstate

the Petitioner into service on payment of the amount by the Petitioner. In view of the same, the Petitioner is directed to produce the Demand Draft for a sum of Rs.1,35,381/- [Rupees One lakh thirty five thousand three hundred and eighty one] drawn in the name of the District Manager, Tasmac, within a period of two weeks from today (30.05.2019). On such production, the District Manager is directed to reinstate the Petitioner into service. It is also made clear that the Petitioner is not entitled to any monetary benefits for the period he was under suspension, however, the entire suspension period can be counted for retirement benefits and for any other service benefits.

5. With the above direction, the writ petition is disposed of. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The District Manager,
Tamil Nadu State Marketing Corporation Ltd.
MSR Complex Dayalan Street, Goundampalayam,
Coimbatore-641 030.

W.P.No.14824 of 2019
and

W.M.P.Nos.14808 & 14810 of 2019

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