

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.09.2020
CORAM
THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P.No.19043 of 2013

P.Kalaivanan

.. Petitioner

.. Vs ..

1. Tamil Nadu Marketing Corporation Ltd (TASMAC),
Rep. by its Managing Director, Chennai.
 2. The Regional Manager (South),
Tamil Nadu Marketing Corporation Ltd (TASMAC),
Coimbatore.
 3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Tiruppur District.
- .. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to reinstate the petitioner in his service with all benefits based on his representation dated 29.06.2013.

For Petitioner : No Appearance
For Respondents: Mr.K.Sathish Kumar
Standing Counsel

ORDER

The present writ petition has been filed by the petitioner praying for the issuance of a Writ of Mandamus, directing the respondents to reinstate the petitioner in his service with all benefits based on his representation dated 29.06.2013.

2. The case of the petitioner is that he was appointed as temporary sales man in the TASMAC shop by the second respondent Corporation on 27.11.2003. While so, the petitioner gave a leave letter to the second respondent herein to grant him leave to undergo B.Ed., course as a regular student. In the year 2013, the petitioner completed B.Ed., course and thereafter, he has given a representation to the third respondent on 29.06.2013 requesting to give the job of temporary sales man. Since the

said representation has not been considered so far, the present writ petition has been filed with the aforesaid prayer.

3. Today, when the matter is taken up for hearing there is no representation for the petitioner. However, the affidavit filed by the petitioner reveals that the petitioner himself has fairly admitted therein that he was appointed as temporary sales man in the TASMAL shop by the second respondent Corporation on 27.11.2003 and in the year 2007, he gave a leave letter to the second respondent herein requesting to grant him leave for undergoing B.Ed. course.

4. Mr.K.Sathish Kumar, learned Standing Counsel appearing for the respondents submits that no disciplinary proceedings was initiated as against the petitioner and as there is no Rule providing for taking disciplinary action against the temporary employee, no order has been passed on the representation filed by the petitioner.

5. Considering the fair stand taken by the learned Standing Counsel for the respondents and in view of the limited prayer made by the petitioner, without going into the merits of the matter, the respondents are hereby directed to consider the representation of the petitioner dated 29.06.2013, and dispose of the same within a period of three months from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar

/true copy/
Sub Asst. Registrar

Jr1

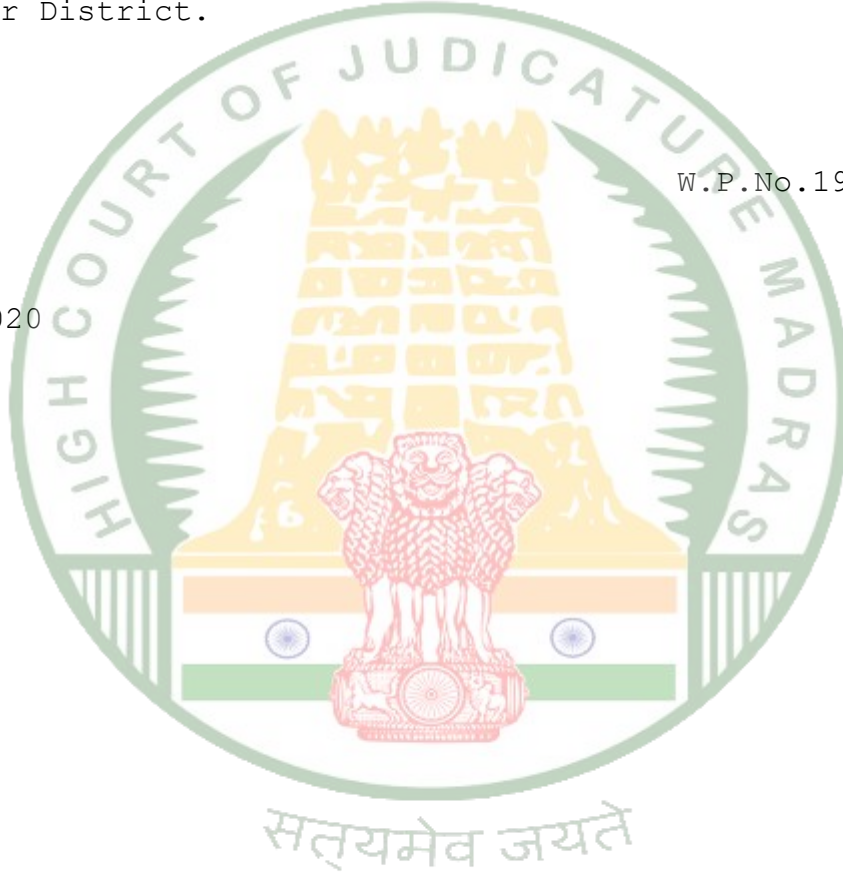
WEB COPY

To

1. The Managing Director,
Tamil Nadu Marketing Corporation Ltd (TASMAC),
Chennai.
2. The Regional Manager (South),
Tamil Nadu Marketing Corporation Ltd (TASMAC),
Coimbatore.
3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Tiruppur District.

W.P.No.19043 of 2013

aa21/10/2020



WEB COPY