

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.10320 of 2020

K.Rajagopal

..... Petitioner

Vs.

The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd.(TASMAC),
No.735, 4th Floor, LLA Building,
Annasalai, Chennai-2

... Respondent

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to pass final orders on the appeal preferred by him on 04.10.2019 within the stipulated time.

For Petitioner .. Mr.V.Vijay Shankar
For Respondent .. Mr.John Kennady

ORDER

This matter is taken up through Web hearing.

2. This Writ Petition has been filed, praying for the issuance of a Writ of Mandamus, to direct the respondent to pass final orders on the appeal preferred by the petitioner on 04.10.2019 within a stipulated time as prescribed by this Court.

3. According to the petitioner, while he was working as Shop Supervisor of Tasmac Shop No.4371, on 15.04.2013, a flying squad visited the shop and found financial loss to the tune of Rs.16,89,246/- and thereafter, a criminal case was also registered against him along with two other Salesmen. On 15.04.2013, the petitioner was placed under suspension and later an enquiry was also conducted, wherein, the Enquiry Officer gave report, holding that the charges against the

petitioner were proved. Thereafter, by proceedings dated 28.08.2019, the District Manager, dismissed the petitioner from service. Aggrieved by the order of dismissal, the petitioner preferred an appeal dated 04.10.2019 before the appellate authority, the respondent herein. Since no action is forthcoming, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that as against the order of dismissal from service dated 28.08.2019, the petitioner preferred an appeal as early as on 04.10.2019 before the appellate authority, i.e. the respondent herein, however, till now, the same is pending without consideration.

5. Mr. John Kennady, learned counsel for the respondent Corporation was present and he would submit that he has no objection if this Court directs the appellate authority to pass orders on the appeal within the time to be stipulated by this Court.

6. Considering the above submission and considering the facts and circumstances and also in view of the fact that the appeal preferred by the petitioner is still pending, the respondent is directed to consider the appeal preferred by the petitioner dated 04.10.2019 and pass appropriate orders in accordance with law and on merits, within a period of six weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dn/suk

To

The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd. (TASMAC),
No.735, 4th Floor, LLA Building,
Annasalai, Chennai-2
+lcc to Mr.V.Vijay Shankar, Advocate, Sr.No.26225

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SKS (CO)
GS (28/08/2020)