



WEB COPY

WP(MD) No.7074 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.06.2020
CORAM

THE HON'BLE **MR. JUSTICE C. SARAVANAN**

W.P. (MD) No.7074 of 2020

and

W.M.P. (MD) .Nos.6514 to 6516 of 2020

(Through Video Conferencing)

R.Elangovan

... Petitioner

Vs.

The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Karur,
Karur District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in Na.Ka.C.V.2/5006/2020 dated 05.06.2020, quash the same and consequently direct the respondent to reinitiate the petitioner in service with all attended benefits.

For Petitioner : Mr.S.Gokulraj
For Respondent : Mr.H.Arumugam, Standing Counsel

O R D E R

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

2. In this Writ Petition, the petitioner has challenged the impugned order dated 05.06.2020 bearing reference No.Na.Ka.C.V.2/5006/2020 passed by the respondent.

3. The petitioner has been placed under suspension with effect from 06.06.2020 vide impugned order dated 05.06.2020. The allegation against the petitioner is that he had showed the tokens issued for vending liquor during lock down, to the Private Television and the same amounts to dereliction of duty.

4. It is the contention of the learned counsel for the petitioner that the petitioner can be suspended only in the event of



situation contemplated in Rule 6(d) of Code of Prevention and Detection of Fraudulent Acts in Tamil Nadu State Marketing Corporation Limited, 2014 (The "CODE").

5. The learned Standing Counsel for the respondent fairly submits that they will issue a Charge Memo within a period of ten days from today and will pay the subsistence allowances during the pendency of the disciplinary proceedings.

6. Considering the above undertaking of the learned Standing Counsel for the respondent, the respondent is permitted to issue a Charge Memo within a period of ten days from today. The respondent is also directed to complete the disciplinary proceedings within a period of one month thereafter. Needless to state, before passing such order, the petitioner shall be heard. The respondent shall pay subsistence allowances to the petitioner during the pendency of the disciplinary proceedings. The petitioner is directed to co-operate in the disciplinary proceedings.

7. With the above directions, this Writ Petition stands disposed of. No cost. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Karur, Karur District.

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SDS (30.06.2020) 2P-2C