



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.7584 of 2020
(Through Video conferencing)

S.Manavalan

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Marketing Corporation
Limited (TASMAC)
4th Floor, CMDA Towers,
Gandhi Irwin Bridge Road,
Egmore, Chennai.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation
Limited (TASMAC),
100, Anna Nagar,
Madurai - 625 020.

3.The District Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC), Madurai South,
Kappalur,
Madurai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent No.3 to revoke the order of suspension in the light of the Judgment of the Hon'ble Apex Court in **Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291** within the time period stipulated by this Court.

For Petitioner	: Mr.S.Rajasekaran for Mr.T.Lajapathi Roy
For Respondents	: Mr.H.Arumugam, standing counsel for TASMAC

ORDER

The prayer in this writ petition is for a writ of Mandamus, directing the respondent No.3 to revoke the order of suspension in the light of the Judgment of the Hon'ble Apex Court in **Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291** within the time period stipulated by this Court.



2. Heard Mr.S.Rajasekaran, learned counsel appearing for the petitioner and Mr.H.Arumugam, learned standing counsel appearing for TASMAC.

3. The petitioner was working in a TASMAC shop as Supervisor under the control of the respondents, where, due to some accusation and allegations against the petitioner, he was placed under suspension by the respondents by proceedings dated 08.04.2020.

4. Thereafter, it seems that the petitioner has given his explanation and request on 22.04.2020. However, the said suspension order passed against the petitioner has not so far been reviewed. In the meanwhile, the petitioner has also given a detailed representation on 09.07.2020 to the respondent TASMAC Management, TASMAC, Madurai South. Therefore, the learned counsel appearing for the petitioner submits that, if the said representation of the petitioner is directed to be considered and orders are directed to be passed on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

5. Heard the learned standing counsel appearing for TASMAC, who would submit that the said representation of the petitioner dated 09.07.2020 would be considered on merits and orders would be passed within a time frame.

6. Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to pass the following direction:

"The respondents, especially, the third respondent is directed to consider the representation of the petitioner dated 09.07.2020, who shall pass orders thereon, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this direction shall not stand in the way for the respondents to initiate disciplinary proceedings against the petitioner, if they decided to do so, as this direction is confined only with the representation of the petitioner with regard to his prolonged suspension order from April 2020 till date."

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Deputy Registrar (Accounts)

// 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

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Kappalur,
Madurai District.

Order made in
W.P. (MD) No. 7584 of 2020
20.07.2020

VB (12.08.2020) 3P 4C