



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.12.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.18335 of 2020

R.Raja Prabath

...Petitioner

Vs

The Sub Collector / District Manager,
Tamilnadu State Marketing Corporation Limited,
(TASMAC),
Kanyakumari District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent pertaining to its order bearing Na.Ka.No.A1/724/2020 dated 15.04.2020 and to quash the same and consequently directing the respondent to revoke the suspension by considering the request of the petitioner dated 25.11.2020.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.B.Jameel Arasu
Standing Counsel

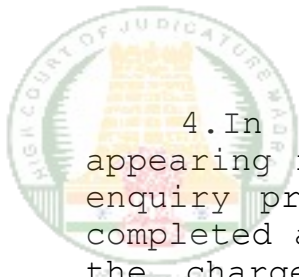
ORDER

Challenging the impugned order of suspension, dated 15.04.2020 passed by the respondent and for a direction to the respondent to revoke the order of suspension, the present writ petition has been filed.

2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3.Though the writ petition is filed for a larger relief seeking issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent bearing Na.Ka.No.A1/724/2020, dated 15.04.2020 and to quash the same and consequently to direct the respondent to revoke the order of suspension, dated 15.04.2020, the learned counsel appearing for the petitioner in the course of his argument, restricted the relief for issuing a direction to the respondent to consider and pass appropriate orders on the petitioner's representation, dated 25.11.2020, which was given to the respondent for revocation of the order of suspension, dated

15.04.2020.



4. In reply, Mr. B. Jameel Arasu, learned Standing Counsel appearing for the respondent, on instructions, would submit that the enquiry proceedings initiated as against the petitioner have been completed and at the time of enquiry, the Enquiry Officer found that the charges framed as against the petitioner were not proved. Therefore, the learned Standing Counsel would submit that based on the enquiry report, the petitioner's representation, dated 25.11.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. In view of the submission made by the learned counsel on either side and in view of the fact that the charges framed as against the petitioner are not proved, this Court is inclined to pass the following direction:-

the respondent is directed to consider the petitioner's representation, dated 25.11.2020 and pass appropriate orders, by taking into consideration of the enquiry report submitted by the Enquiry Officer, within a period of two weeks from the date of receipt of a copy of this order;

6. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

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