



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2020

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)Nos.5563 & 5564 of 2014

& MP(MD).Nos.1 & 1 of 2014

WEB COPY

Palanichamy : Petitioner in WP(MD)No.5563/2014

Pandiyan : Petitioner in WP(MD)No.5564/2014

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower II, IV Floor,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

2.The District Manager,
Tamilnadu State Marketing Corporation Ltd.,
Madurai,
Madurai District.

: Respondents in both WPs

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for Writ of Certiorarified Mandamus calling for the records from the 2nd respondent in his proceedings in ந.க.எண்:1403/2004/அ dated 04.06.2005 and quash the same and consequently directing the 2nd respondent to reinstate the petitioner into service with continuity of service with all consequential benefits forthwith.

For Petitioner : Mr.S.M.Solaisamy in both WPs

For Respondents : Mr.H.Arumugam,
Standing Counsel for TASMAC
in both WPs

C O M M O N O R D E R

The impugned order passed by the second respondent in proceedings dated 04.06.2005 is sought to be quashed in the present writ petition which was filed on 20.03.2014. The writ petitioners were engaged as Part Time/Temporary employees on contract basis in TASMAC. Due to surprise inspection, stock deficiency was identified by the Authorities and a Criminal Case was also registered. Thus, the part time/temporary services of the petitioners was dispensed with.

2.Part time temporary engagement would not confer any right on the employees to seek reinstatement or permanent absorption. It is a temporary engagement made on part time basis and this apart, the



impugned order dispensing with the services of the petitioners was passed in proceedings dated 04.06.2005 and the present writ petitions were filed in 2014, after a lapse of about 9 years from the date of the impugned order.

3.Thus, the writ petitions are dismissed on the grounds of latches as well as on merits. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg-2/CM

To

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Tower II, IV Floor,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

2.The District Manager,
Tamilnadu State Marketing Corporation Ltd.,
Madurai,
Madurai District.

Order in
W.P(MD)Nos.5563 & 5564 of 2014
03.11.2020

VB (10.11.2020) 2P 3C