



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

CORAM :

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.NO.14655 OF 2021

AND

W.M.P.NO.15538 OF 2021

A. Lakshmi Narayanan

... Petitioner

Vs

1. The Managing Director,
Head Office,
Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
Thalamuthu Natarajan Building,
Egmore, Chennai - 600 008.
2. The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
L.L.A, Buildings,
Anna Salai, Chennai - 600 002.
3. The District Manager,
Tamil Nadu State Marketing
Corporation (TASMAC) Limited,
(Kanchipuram North District),
Unit III, Thirumazhisai,
Sembarambakka, Chennai - 600123

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus or any other writ or order or direction in the nature of writ and call for the records of the impugned order in Na.Ka.No.020/4511/SUS/R1/2019 dated 29.11.2019 issued by the District Manager, Tamilnadu State Marketing Corporation (TASMAC) Limited, Kanchipuram, North District III Thirumazhisai, Sembarampakkam, Chennai 600123, the 3rd respondent herein and quash the same, subsequently directing the 3rd respondent herein to reinstate the petitioner in his service with original status of the work as the Second Supervisor of the said the shop vide No.4511 situated in Injambakkam Chennai 600115 on the basis of the petitioner's representation dated 01.07.2021 by the registered post.



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For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondents : Mr.K.Sathish Kumar,
Standing Counsel for TASMAC

ORDER

This writ petition is filed for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order in Na.Ka.No.020/4511/SUS/R1/2019, dated 29.11.2019, issued by the District Manager, Tamil Nadu State Marketing Corporation (TASMAC) Limited, Kanchipuram, North District III Thirumazhisai, Sembarampakkam, Chennai 600 123, the third respondent herein and quash the same, and subsequently, direct the third respondent herein to reinstate the petitioner into service with his original status of the work as Second Supervisor of Shop No.4511, situate in Injambakkam, Chennai 600 115, on the basis of the petitioner's representation dated 03.05.2021, sent by registered post.

2. The brief facts necessary for disposing of this Writ Petition are as follows:

2.1. The petitioner was recruited as a Supervisor in a Tasmac shop on 18.02.2004.

2.2. It is the case of the petitioner that he has occasioned to go to XIII Assistant City Civil Court within the High Court Campus to get clarification with regard to a pending case. However, the petitioner was intercepted by B4 Police Station authorities near the High Court Campus and a criminal case was registered against him for offences under Section 171, 419, 469, 488 and 471 of I.P.C. and he was arrested. It appears that the petitioner entered into the Court premises with an identification certificate of another person. Since the petitioner was arrested in pursuance to the criminal case, the petitioner was placed under suspension. Though the petitioner made representations for revocation of his suspension, no order was passed to revoke the order of suspension.

2.3 The petitioner has challenged the inaction on the part of the respondents in disposing of his representation, by filing this writ petition.

3. The learned counsel appearing for the petitioner produced before the Court a representation of the petitioner for revocation of the temporary suspension and for disbursement of the subsistence allowance and sought for a direction to the respondents to consider and dispose of the said representation



within a time-frame stipulated by this court.

4. Having regard to the limited scope of the prayer that is now sought for before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's representation or the case projected by the petitioner in the affidavit filed in support of the petition, this Court is disposing of the instant writ petition with a direction to the third respondent to consider the representation of the petitioner dated 01.07.2021 and pass appropriate orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, W.M.P.No.15538 of 2021 is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrn

To

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Head Office,
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Corporation (TASMAC) Limited,
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W.P.NO.14655 OF 2021 AND
W.M.P.NO.15538 OF 2021

PCH(CO)
PBS/12/08/2021