



WEB COPY

WP(MD) No.3913 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3913 of 2021

and

W.M.P (MD) No.3133 of 2021

M.Paramaguru

...Petitioner

Vs.

1.The Managing Director,
The Tamil Nadu State Marketing Corporation Limited,
Head Quarters, 4th Floor, CMDA Tower-2,
Egmore, Chennai-600 008.

2.The Senior Zonal Manager,
The Tamil Nadu State Marketing Corporation Limited,
Madurai Division, Madurai.

3.The District Manager,
The Tamil Nadu State Marketing Corporation Limited,
Sivagangai District.

4.The District Manager,
The Tamil Nadu State Marketing Corporation Limited,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for records of the impugned order passed by the fourth respondent in Na.Ka.No.A7/516/2019 dated 25.01.2021 and quash the same as illegal.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.H.Arumugam

Standing Counsel

ORDER

Heard Mr.R.J.Karthick, learned counsel for the petitioner and Mr.B.Jameel Arasu, learned counsel for the respondents.

2.The petitioner's services has been suspended through the impugned order, dated 25.01.2021, on the ground that the petitioner had charged an amount over and above the MRP rate of certain IMFL liquour products. The suspension order is made pending the enquiry.

3.Today, when the matter was called, the learned Standing counsel for the respondents would submit that as per the suggestion of the petitioner's counsel, the respondent company is willing to

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revoke the impugned suspension order, on condition that the petitioner pays the penalty amount of Rs.11,800/- (Rupees Eleven Thousand and Eight Hundred Only) without prejudice to the authorities to proceed with the enquiry. The learned counsel for the petitioner also would submit that the petitioner's rights to participate in the enquiry may be protected.

4. In the light of the submissions made by the respective counsels, the impugned order passed by the fourth respondent, dated 25.01.2021, in Na.Ka.No.A7/516/2019, is hereby quashed. It is made clear that the order in this writ petition shall come into force from the date on which the petitioner remits the aforesaid sum of Rs.11,800/- (Rupees Eleven Thousand and Eight Hundred only) to the fourth respondent herein.

5. This writ petition stands ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-7194[F] dated 25/02/2021)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-7638[F] dated 26/02/2021)

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KG (CO)

KK(16.03.2021) 2P 3C