



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.5619 of 2021

and

W.M.P (MD) Nos.4459 and 4460 of 2021

Rathinavelpandian

...Petitioner

Vs.

1.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation,
Plot No.101,
Anna Nagar,
Madurai.

2.The District Manager,
Tamil Nadu State Marketing Corporation,
Keela Munneerpallam,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for records relating to the impugned order passed by the second respondent vide Na.Ka.No. R.1/1969/2020 dated 31.12.2020 and consequential order of suspension vide Na.Ka.No.A7/1969/2020 dated 25.01.2021 and quash the same and consequently directing the respondents to reinstate the petitioner in service.

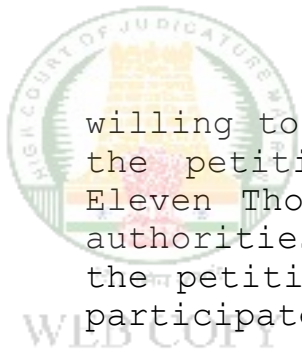
For Petitioner : Mr.D.Shanmugaraja Senthupathi
For Respondents : Mr.B.Jameel Arasu
Standing Counsel

O R D E R

Heard Mr.A.Srinivasan, 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 liquor 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 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 suspension order passed by the second respondent vide Na.Ka.No.A7/1969/2020 dated 25.01.2021, 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 second respondent herein.

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

Sd/-

Assistant Registrar(P & A)

// 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.

TO

1.The District Manager,
Tamil Nadu State Marketing Corporation,
Keela Munneerpallam,
Tirunelveli.

W.P.(MD) No.5619 of 2021
12.03.2021

SMV(CO)

TR(20.04.2021) 2P 2C