



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.7832 of 2021

S.Shanmugaraj

... Petitioner

-Vs-

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

2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd.,
Madurai Division, Madurai.

3.The District Manager,
Tamilnadu State Marketing Corporation ltd.,
Thoothukudi District, Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to conclude and dispose the appeal, in view of letter Na.Ka.En.26/2021/A1, dated 21.01.2021 pending before the 2nd Respondent and pass an appropriate order in accordance with law, within a stipulated time as prescribed by this Court.

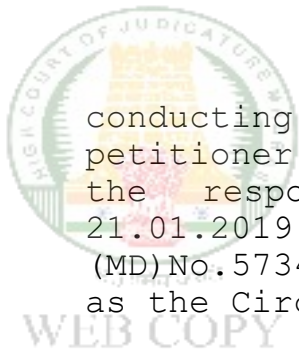
For Petitioner : Mr.C.Masilamani
For Respondent : Mr.B.Jameel Arasu
for TASMAL

ORDER

This Writ Petition is filed to direct the second Respondent to dispose of the appeal, in view of letter in Na.Ka.En.26/2021/A1, dated 21.01.2021, pending before the 2nd Respondent and pass appropriate orders in accordance with law.

2.Mr.B.Jameel Arasu, learned Standing Counsel takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he was working as a Salesman in the Tamilnadu State Marketing Corporation Ltd., Madurai Division, Thoothukudi District. While he was working in Shop No.10036, a surprise inspection was conducted by the third respondent on 01.03.2020. At that time, the third respondent obtained the signature of the petitioner in the blank papers. On 10.03.2020, the third respondent without issuing a show cause notice and without



conducting any enquiry, imposed a punishment, directing the petitioner to deposit a sum of Rs.11,800/- in the bank account of the respondents Corporation, based on the Circular, dated 21.01.2019. Therefore, the petitioner filed a writ petition in W.P (MD)No.5734 of 2020, challenging the order, dated 10.03.2020 as well as the Circular, dated 21.01.2019.

4. In the said writ petition, this Court, by order, dated 19.03.2020, set aside the impugned order and directed the third respondent to pass an order, by following due process of law. Subsequently, the third respondent conducted an enquiry. During such enquiry, the petitioner requested the Enquiry Officer to drop the charges. The third respondent based on the enquiry, issued the show-cause notice to the petitioner on 01.12.2020 to submit the explanation within seven (7) days. The petitioner has submitted his explanation on 10.12.2020. Not being satisfied with the explanation submitted by the petitioner, the third respondent dismissed the petitioner from service, by order dated 22.12.2020. Challenging the said dismissal order, the petitioner filed an appeal before the second respondent. The second respondent conducted an enquiry on 08.02.2021. Thereafter, no order has been passed in the said appeal. Hence, the petitioner has come out with the present Writ Petition.

5.Considering the above facts and limited relief sought for in the Writ Petition, this Court directs the second respondent to dispose of the appeal, filed by the petitioner and pass orders on merits within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Am

TO

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