



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.5204 of 2019

and W.M.P. (MD) Nos.4155 & 4180 of 2019

(Through Video Conference)

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Josephin King Virgin

... Petitioner

Vs

1. The District Collector,
Nagercoil, Kanyakumari District.

2. The District Manager,
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Proceedings Na.Ka.No.1818/A/2019 dated 20.02.2019, on the file of the 2nd respondent and quash the same and consequently direct the 2nd respondent to permit the petitioner to continue his service.

For Petitioner	: Mr.N.Dilipkumar, For MrY.Jagadeesh
For R-1	: Mr.P.Mahendran Additional Government Pleader
For R-2	: Mr.B.Jammal Arasu

O R D E R

The petitioner herein, while employed as a Shop Supervisor in the second respondent Corporation at Eraniel Junction TASMAC Shop, was terminated from his service through the impugned order dated 20.02.2019.

2. The petitioner was appointed in the year 2003 and after 16 years of service, he has been terminated without any prior show cause notice or enquiry. Such a termination is opposed to the principles of Natural Justice and on this short ground, the order itself cannot be sustained.

3. In the result, the impugned order made in Na.Ka. No.1818/A/2019 dated 20.02.2019, on the file of the 2nd respondent is quashed. Consequently, the second respondent is directed to reinstate the petitioner into service forthwith.

4. Accordingly, the writ petition stands ordered. However,
<https://hcservices.ecourts.gov.in/hcservices/>



there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSII)

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/ /2021

Sub Assistant Registrar(CS)

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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 Collector,
Nagercoil, Kanyakumari District.
2. The District Manager,
Tamil Nadu State Marketing
Corporation Ltd., (TASMAC)
Nagercoil, Kanyakumari District.

+1 CC to M/s.SPL GP (SR-2374[F] dated 29/01/2021)

+1 CC to M/s.Y.JEGADEESH, Advocate (SR-2489[F] dated 29/01/2021)

W.P.(MD)No.5204 of 2019
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NA(CO)

KB(22.02.2021) 2P 5C