



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14378 of 2018

R. Elangovan

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Marketing Corporation (Tasmac),
4th Floor, CMDA Tower-2,
Egmore, Chennai - 08.

2. The Senior Regional Manager,
Tamilnadu State Marketing Corporation (Tasmac),
No. 100, Annanagar,
Madurai-20.

3. The District Manager,
Tamilnadu State Marketing
Corporation (Tasmac),
Tirunveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a **Writ of Mandamus**, directing the respondents to reinstate the petitioner to the post of salesman in any TASMAC shop at Ambasamuthiram Taluk or any other shop at Tirunelveli District with consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T. Thirumurugan
For Respondents : Mr. S. Ramakrishnan
for Mr. B. Jameel Arasu
Standing Counsel

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to reinstate the petitioner to the post of salesman in any TASMAC shop at Ambasamuthiram Taluk or any other shop at Tirunelveli District with consequential benefits within the time period stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

3. According to the writ petitioner he was not allowed to join duty by the respondent Corporation. Hence, the petitioner has submitted representations to the respondents on 16.04.2014, 04.09.2015 and 13.06.2018. However, there was no response from the



respondents. Hence, has filed the present writ petition before this Court.

4. The learned Standing Counsel for the respondents would submit that the aforesaid representation is still pending. If any order is passed by this court for the disposal of the representation, the same shall be considered in accordance with law.

5. It is further submitted by the learned Standing counsel for the respondents that there is no appeal petition pending.

6. On the perusal of the records, it is seen that the petitioners had made several representations between 2014 and 2018. The representations dated 16.04.2014 and 04.09.2015 do not have any acknowledgment to prove that such representations had been submitted. On the other hand, only the representation dated 13.06.2018 has acknowledgment to prove that it was submitted.

7. Therefore, in view of the above submissions made by the parties and on perusal of the records, without expressing any opinion on merit, this court is inclined to direct the second respondent to consider the petitioner's representation dated 13.06.2018 and pass appropriate orders on its own merits and in accordance with law as expeditiously as possible within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner shall also furnish a copy of the representation dated 13.06.2018 addressed to the second respondent.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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

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+1 CC to M/s.L.THIRUMURUGAN, Advocate (SR-27931[F] dated 02/09/2021
)

W.P. (MD) .No.14378 of 2018
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RD(16.09.2021) 3P 5C