



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4485 of 2020
and
W.M.P.No.5325 of 2020

K.Nagarajan

... Petitioner

vs.

1. The Managing Director (TASMAC),
Office of the Managing Director TASMAC Ltd.,
4th Floor,
CMDA Tower-II, Egmore,
Chennai - 600 008.
2. The Senior Regional Manager (TASMAC),
Office of the Senior Regional Manager TASMAC Ltd.,
56, Brindhavan Road Fairlands,
Salem - 16.
3. The District Manager (TASMAC),
Office of the District Manager,
Vellore District,
TASMAC Ltd.,
No.1, Katpadi Road,
Vellore District - 632 007.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings dated 21.02.2019 in Se.Mu.Na.Ka.No.A2/095/C.V./2017 passed by the 3rd Respondent and quash the same and direct the respondents to consider petitioner's representation dated 14.03.2019.

For Petitioner : Mr.M.Maharaja

For Respondents: Mr.P.Arumuga Rajan
Standing Counsel



O R D E R

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 21.02.2019 in Se.Mu.Na.Ka.No.A2/095/C.V./2017 passed by the 3rd respondent and quash the same and to direct the respondents to consider the petitioner's representation dated 14.03.2019.

2. According to the petitioner, the petitioner was placed under suspension by the proceedings in Se.Mu.Na.Ka.No.A2/095/C.V./2017, dated 21.02.2019 passed by the 3rd respondent. Further submitted that the said suspension order passed for pending the disciplinary proceedings against the petitioner. But so far, no disciplinary proceedings has been initiated by the respondents/corporation against the petitioner and the petitioner was placed under prolonged suspension due to some allegations and misappropriation of money in the shop. A sudden inspection made by the Vigilance and Anti Corruption Unit, at that time, the Vigilance and Anti Corruption Unit has seized money from the petitioner and he has explained to them that for his personal expenses. Thereafter, there is no further enquiry or any criminal case has been lodged against the petitioner. Therefore, he seeks to revoke the impugned suspension order.

3. The learned Standing Counsel appearing for the respondents/corporation submitted that if any such representation made by the petitioner to the respondents by narrating the said facts, the same would be considered by the respondents and to take appropriate decision in the light of the decision rendered by the Hon'ble Full Bench of this Court in the case of P.Kannan vs. The Commissioner for Municipal Administration, Chennai (W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022).

4. In the light of the above submissions made by the parties concerned, this Court is inclined to pass orders as follows:-

- (i) The petitioner is directed to make a representation to the respondents for revocation of the impugned suspension order by narrating the aforesaid facts, within a period of two weeks from the date of receipt of a copy of this order.
- (ii) If any such representation being received from the petitioner, the respondents are directed to consider the said representation in the light of the decision rendered by the Hon'ble Full Bench of this Court in the case of P.Kannan vs. The Commissioner for Municipal Administration, Chennai (W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022) and pass appropriate orders, as expeditiously as possible, within a period of eight weeks, thereafter.



5. With the above directions, the writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dm
To

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+1cc to Mr.M.Maharaja, Advocate, S.R.No.24499

W.P.No.4485 of 2020

NMI(CO)
CB(12/04/2022)