



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33559 of 2013 and
M.P.No.1 of 2013

K.Kannan

...Petitioner

-Vs-

1.Tamil Nadu Civil Supplies Corporation,
Rep. by its General Manager (Admin.),
Chennai - 10.

2.Tamil Nadu Civil Supplies Corporation,
rep. by its Senior Regional Manager,
Nagai Region,
Nagapattinam - 611 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings Rc.No.E3/1868/2013 dated 22.11.2013 of the 2nd respondent, quash the same and consequently direct the 2nd respondent not to disturb the panel of Junior Assistants published by him as per proceedings Rc.E3/1868/13 dated 31.05.2013.

For Petitioner : Mr.S.Venkataraman

For Respondents : Mr.C.Munusamy

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. In connection with a panel of Junior Assistants for the year 2012, objections were received by the Senior Regional Manager of Tamil Nadu Civil Supplies Corporation, Nagapattinam District, for revision of the panel, based on which, the petitioner's name was deleted from the panel, on the ground that he has not completed two years of service in the cadre of Bill Clerk, which is a feeder category.

3. The learned counsel for the petitioner submitted that this order has been passed, without any prior notice to the petitioner.



4. A perusal of the impugned order does not reveal that the petitioner was put on prior notice, for the purpose of calling for his objections and that in the absence of the same, the order itself would be in violation of the principles of natural justice, as rightly pointed out by the learned counsel for the petitioner. As such, the impugned order cannot be sustained.

5. In the light of the above observation, the impugned order passed by the second respondent dated 22.11.2013, insofar as it relates to deletion of the petitioner's name alone is concerned, is quashed and the matter is remanded back to the second respondent. The second respondent is called upon to give a notice on the proposal for taking action on the promotional panel for the post of Junior Assistant, within a period of three months from the date of receipt of a copy of this order. On receipt of any objections from the petitioner, the same shall be considered and appropriate orders be passed within a period of two months from the date of receipt of the objections. There shall also be an order of status quo on the post in which the petitioner is now serving, till the disposal of the petitioner's objections.

6. Accordingly, the Writ Petition stands ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

hvk

Sub Assistant Registrar

To

1.The General Manager (Admin.),
Tamil Nadu Civil Supplies Corporation,
Chennai - 10.

2.The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Nagai Region, Nagapattinam - 611 001.

+1cc to Mr.S.Venkataraman, Advocate SR.No.16558

W.P.No.33559 of 2013
and M.P.No.1 of 2013

MT(CO)
GN(29/03/2022)