



W.P.(MD)Nos. 28059 & 28060 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.28059 & 28060 of 2022

C.Ramakrishnan ... Petitioner in W.P.(MD) No.28059 of 2022
V.Jeyan ... Petitioner in W.P.(MD) No.28060 of 2022

Vs.

- 1.The Managing Director,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
C.M.D.A. Towers,
4th Floor, Egmore
Chennai - 600 008.
- 2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
No.100, Anna Nagar,
Madurai – 625 020.
- 3.The District Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
Kanyakumari
Kanyakumari District. ... Respondents in both writ petitions



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Common Prayer :- Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent herein to revoke the petitioners' suspension order passed by him dated 20.09.2022 on the basis of relief of reinstatement granted in favour of co-employee working in the same shop No.4825, vide proceedings in Na.Ka.No.A1/724/2022, dated 30.11.2022 passed by the 3rd Respondent and by consider their representations dated 01.11.2022.

In both writ petitions

For Petitioner : Mr.K.Rajesh

For Respondents : Mr.S.Sivanesan

Standing Counsel

COMMON ORDER

These writ petitions have been filed for a direction to the 3rd respondent herein to revoke the petitioners' suspension order passed by him on 20.09.2022 on the basis of relief of reinstatement granted in favour of co-employee working in the same shop No.4825, vide proceedings in Na.Ka.No.A1/724/2022, dated 30.11.2022 passed by the



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3rd Respondent, by considering their representations dated 01.11.2022.
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2. The case of the petitioner is that the petitioners are working as Salesman. There was a wordy quarrel between the customer and the petitioners and other sales man, due to which, the Law Enforcing Agency has registered a case against the petitioners and the other similarly placed persons. Thereafter, the petitioners and other similarly placed persons were placed under suspension. However, one of them has filed writ petition before this Court seeking to revoke the suspension order passed against him and this Court has also directed him to submit a representation seeking revocation of the suspension to the competent Authority and if any representation is filed, the Competent Authority was directed to dispose of the same on merits and in accordance with law. Thereafter, the same was considered by the third respondent and the suspension order was revoked. In order to avail the said benefit, the petitioners have made representations on 01.11.2022. Till date, no action has been taken by the respondents.



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3. The learned counsel appearing for the petitioner would submit that it would suffice, if the third respondent is directed to dispose of the representations of the petitioners, dated 01.11.2022, on merits and in accordance with law, within a specified period, in terms of the earlier order passed in respect of similarly placed person on 30.11.2022.

4. The learned Standing Counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the representations of the petitioners, dated 01.11.2022 and pass appropriate orders, on merits and in accordance with law, in terms of the earlier order passed in respect of similarly placed person on 30.11.2022, within a period of six weeks from the date of receipt of a copy of this order.



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5. With the above directions, these Writ Petitions are disposed of.

No costs.

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Index : Yes/No
Internet : Yes / No
ssb

To

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