



W.P.(MD)No.28993 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28993 of 2022

Athiveerapandian

... Petitioner

Vs.

**1.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
No.100, Anna Nagar,
Madurai- 625 020.**

**2.The District Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
Ramanathapuram District.**

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to revoke the suspension order, dated 08.08.2022 and consequently reinstate the petitioner into service as a Supervisor in TASMAC Shop No.7013 on the basis of proposal sent by the 2nd respondent vide Na.Ka.No. A1/0743/2022, dated 20.10.2022.



W.P.(MD)No.28993 of 2022

For Petitioner : Mr.K.Rajesh
For Respondents : Mr.A.Sivanesan

ORDER

This writ petition has been filed for a direction to the first respondent herein to revoke the suspension order, dated 08.08.2022 and consequently, reinstate the petitioner into service as a Supervisor in TASMACH Shop No.7013 on the basis of the proposal sent by the 2nd respondent vide proceedings in Na.Ka.No. A1/0743/2022, dated 20.10.2022.

2. The case of the petitioner is that the petitioner was appointed as a Supervisor under the second respondent TASMACH since 2003 and presently, he is working as a Supervisor at TASMACH Shop No.7013 at Mandapam Village, Ramanathapuram District. While he was in service, a criminal case was registered against him and disciplinary proceedings were also initiated alleging that he sold liquor bottles in bulk. He was suspended from service and Enquiry Officer was appointed. Subsequently, the Enquiry Officer submitted a report on 09.09.2020 stating that the charges levelled against the petitioner were not proved.



W.P.(MD)No.28993 of 2022

Subsequently, based on the enquiry report, the second respondent has sent a proposal to the first respondent, dated 20.10.2022, seeking for approval to revoke the suspension order issued against the petitioner, dated 08.08.2022. However, no order has been passed. In this regard, the petitioner has made a representation before the first respondent on 02.12.2022. The same has not been considered so far. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to consider the proposal forwarded by the second respondent, dated 20.10.2022, within a stipulated time.

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

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter,



W.P.(MD)No.28993 of 2022

WEB COPY

directs the first respondent to consider the proposal forwarded by the second respondent, dated 20.10.2022 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs.

23.12.2022

pm

To

1.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
No.100, Anna Nagar,
Madurai- 625 020.

2.The District Manager,
Tamilnadu State Marketing Corporation Ltd (TASMAC),
Ramanathapuram District.

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W.P.(MD)No.28993 of 2022

M.DHANDAPANI,J.

pm

W.P.(MD)No.28993 of 2022

23.12.2022