



WEB COPY



W.P.No.377 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.377 of 2023

Sivanesan

... Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by its Commissioner/Prohibition and Excise Department,
Fort St. George,
Chennai – 600 009.

2.The Managing Director,
Tamilnadu State Marketing Corporation (TASMAC),
CMDA Tower-II, 4th Floor,
Egmore, Chennai – 600 008.

3.The District Manager,
Tamilnadu State Marketing Corporation Ltd., (TASMAC),
Kancheepuram (South),
Kancheepuram District.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the District Manager, Tamilnadu State Marketing Corporation Ltd., (TASMAC), Kancheepuram (South),



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Kancheepuram District to consider the representation dated 19.12.2022 of the petitioner and consequently revoke the suspension order in Na.Ka.No.1837/A1/2022 dated 08.12.2022 and reinstate the petitioner as Salesman in Shop No.4436, Chengalpet forthwith continuity service and back wages.

For Petitioner	:	Mr.L.Ramkumar
For Respondent 1	:	Mr.E.Sundaram Government Advocate
For Respondents 2 & 3	:	Mr.K.Balakrishnan Standing Counsel

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 19.12.2022 requesting for revocation of his suspension order dated 08.12.2022.

2.Mr.E.Sundaram, learned Government Advocate accepts notice on behalf of the first respondent and Mr.K.Balakrishnan, learned Standing Counsel accepts notice on behalf of the respondents 2 and 3. By consent of both the parties, this Writ Petition is taken up for final disposal in the admission stage itself.



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3.The grievance of the petitioner in this Writ Petition is that he has been arbitrarily and illegally suspended on 08.12.2022. The petitioner was working as a Salesman with the Tamil Nadu State Marketing Corporation (TASMAC). He has given a representation on 19.12.2022 to the respondent Corporation requesting them to revoke his suspension order dated 08.12.2022. Since the representation of the petitioner has not been considered till date, he has filed this Writ Petition.

4.Heard Mr.L.Ramkumar, learned counsel for the petitioner, Mr.E.Sundaram, learned Government Advocate appearing for the first respondent and Mr.K.Balakrishnan, learned Standing Counsel appearing for respondents 2 and 3.

5.No prejudice would be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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6.For the foregoing reasons, this Court directs the third respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 19.12.2022 seeking for revocation of his suspension order dated 08.12.2022, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this Writ Petition is disposed of. No Costs.

09.01.2023
(4/4)

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No

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To

- 1.The Commissioner/Prohibition and Excise Department,
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Chennai – 600 009.
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ABDUL QUDDHOSE. J.,

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