



W.P.No.5161 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.5161 of 2023

and

W.M.P.Nos.5160 and 5161 of 2023

V.Kuppusamy

.. Petitioner

Vs.

1.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC)
Coimbatore.

2.The District Manager/Deputy Collector,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC)
Erode.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the impugned order vide No. Na.Ka.1550/2020/R1 dated 17.10.2022 on the file of the second respondent, to quash the same.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.M.Sekar
Standing Counsel



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ORDER

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The charge against the petitioner was that he had levied Rs.10/- over and above the cost price of bottle of liquor. This Charge Memo dated 17.10.2022 is under challenge by way of this writ petition.

2. Today, when the matter was called, the learned Standing Counsel for the Respondents/Corporation submitted that pursuant to the levelled charge, the petitioner's explanation was considered and since he had admitted the charge, they had imposed a penalty of Rs.11,800/- through a proceedings dated 06.12.2022. He further submitted that the order of penalty was communicated to the petitioner, but he has refused to receive the same. A copy of the penalty order dated 06.12.2022 has now been served on the learned counsel for the petitioner.

3. The learned counsel for the petitioner submitted that if sufficient time is given to the petitioner to make payment as found in the order dated 06.12.2022, he would comply with the same.



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4. In the light of the order passed by the respondent dated 06.12.2022 and taking into consideration the submission made by the learned counsel for the petitioner, the petitioner is granted liberty to make payment of penalty amount of Rs.11,800/- as determined under order dated 06.12.2022 to the respondent herein, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above liberty, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petitions are closed.

22.02.2023

Index : Yes / No

Neutral Citation : Yes / No

dm

To

1.The Senior Regional Manager,
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(TASMAC)
Coimbatore.

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M.S.RAMESH, J.

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