



W.P.No.19148 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.19148 of 2013

M.Ramesh

... Petitioner

-Vs-

1. Tamil Nadu Marketing Corporation Ltd (TASMAC),
Rep. by its Managing Director, Chennai.

2. The Regional Manager (South),
Tamil Nadu Marketing Corporation Ltd (TASMAC)
Coimbatore.

3. The District Manager,
Tamil Nadu State Marketing
Corporation Ltd (TASMAC),
Tiruppur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the third respondent in his proceedings Moo.Mu.No.557/2011/R1 dated 27.04.2011 and quash the same as illegal and consequently direct the respondents to reinstate the petitioner in his service.



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For Petitioner : No appearance

For Respondents : Mr.M.Sekar
Standing Counsel for TASMAC

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent, thereby rejected the request made by the petitioner to reinstate him into service.

2. There is no appearance on behalf of the petitioner. Heard the learned counsel for the respondents and perused the materials available on record.

3. The petitioner was originally appointed as a temporary sales man in the TASMAC shop, on 26.11.2003. He was purely appointed on contract basis for a consolidated pay. While being so, on 06.11.2008, he submitted a leave letter to the third respondent herein to pursue his D.T.Ed course as a regular student. His request was rejected. However, he failed to attend the duty and he had gone to attend his D.T.Ed course. After completion of his D.T.Ed course, he submitted a representation to the respondents for rejoining duty on 26.06.2010. It was rejected by the



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third respondent.

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4. Admittedly, the petitioner was appointed as a temporary sales man and his leave application was also rejected to avail leave to pursue his D.T.Ed course. Therefore, without any leave and without any prior permission, the petitioner unauthorizedly absented from his duty for more than 1 ½ years.

5. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent in his proceedings Moo.Mu.No.557/2011/R1 dated 27.04.2011 and this writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this writ petition stands dismissed. No costs.

08.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

mn



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Managing Director,
Tamil Nadu Marketing Corporation Ltd (TASMAC),
Chennai.
2. The Regional Manager (South),
Tamil Nadu Marketing Corporation Ltd (TASMAC)
3. The District Manager,
Tamil Nadu Marketing Corporation Ltd (TASMAC),
Tiruppur District.

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