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W.P. No.11442 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.11442 of 2021 and
W.M.P.Nos.12159 & 12162 of 2021

N.Prithivimannan

.. Petitioner

VS

The Managing Director
Tamil Nadu State Marketing Corporation Limited
(TASMAC)
CMDA Tower -II, Egmore
Chennai - 600 008.

.. Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the order passed in Pro.no.M1/0941/2020 dated 28.2.2020 on the file of the respondent and quash the same.

For Petitioner : Mr.M.Chidambaram

For Respondent : Mr.Sathish Kumar



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ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 28.02.2022.

2. Learned Standing Counsel appearing for the respondent Corporation has placed before this Court an order dated 29.12.2022 passed by the respondent Corporation, under which, the Disciplinary Authority has found that the charges framed against the petitioner are not proved.

3. The petitioner has challenged the order dated 28.02.2020, under which, the petitioner is allowed to retire from service without prejudice to the rights and contentions of the respondent in the disciplinary proceedings initiated by them against the petitioner. Since the disciplinary proceedings have ended in favour of the petitioner, as seen from the order of the Disciplinary Authority dated 29.12.2022, which has been placed on record by the learned Standing Counsel appearing for the respondent Corporation, necessarily, the petitioner's retirement benefits will have to be paid by the respondent, as there is no bar for them to pay



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the same.

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4. Accordingly, this writ petition is disposed of by directing the respondent Corporation to pay the retirement benefits to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

02.01.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
drm/nl

To :

1. The Managing Director
Tamil Nadu State Marketing Corporation Limited
(TASMAC)
CMDA Tower -II, Egmore
Chennai - 600 008.



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ABDUL QUDDHOSE, J.

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