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W.P.No17240, 17242 & 17247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No17240, 17242 & 17247 of 2023

&

WMP.Nos.16406, 16407 & 16413 of 2023

P.Sundaramoorthi

... Petitioner in W.P.No.
17240 of 2023

P.Gopinath

... Petitioner in W.P.No.
17242 of 2023

S.Muthukumaran

... Petitioner in W.P.No.
17247 of 2023

Vs

The District Manager,
Tamilnadu State Marketing Corporation [TASMAC] Limited,
Tamilnadu Ware Housing Corporation,
Opp. To Pachaiyappas Silk House,
Katpadi Road, Vellore – 632 004.

... Respondent in all WPs

Prayer:- Writ Petitions filed, under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus after calling for the records from the respondent dated 27.05.2023 in ref.



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No.Che.Mu.Na.Ka.No.A2/210/C.V./2023 and quash the same as illegal, arbitrary, without jurisdiction and consequently direct the respondents to reinstate the petitioners back in service with back wages, continuity of service and all other monetary and other benefits.

For Petitioner : Mr.V.Stalin in all WPs

For Respondent : Mr.K.Balakrishnan in all WPs

COMMON ORDER

These Writ Petitions have been filed to quash the impugned Order passed by the respondent dated 27.05.2023 in ref. No.Che.Mu.Na.Ka.No. A2/210/C.V./2023 as illegal, arbitrary, without jurisdiction and consequently direct the respondents to reinstate the petitioners back in service with back wages, continuity of service and all other monetary and other benefits.

2. The petitioners were working as Sales Men in TASMAL. The case of the petitioners is that on the allegation that they have sold the liquor at excess amount of Rs.10/- more than the MRP rate and that apart the petitioners have also involved in fighting with the customers, which



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lead to disrespect to the very Corporation itself, a charge memo has been issued to the petitioners and they were suspended from service. The same has been challenged in these Writ Petitions.

3. As the challenge has been made to revoke the suspension, which has been made based on the serious allegations against the petitioners, this Court is not inclined to revoke the suspension. However, the respondent is directed to complete the enquiry within a period of three months from the date of receipt of a copy of this Order. The respondent is also directed to pay subsistence allowance to the petitioners as per rules.

4. With the above direction, these Writ Petitions are disposed of.
No costs.

05.07.2023

Index:Yes/No

Neutral Citation : Yes/No

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To,

1. The Secretary,
Transport Department.
Fort St. George, Secretariat, Chennai – 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Salamedu, Villupuram.



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N.SATHISH KUMAR, J.

VTC

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