



WEB COPY



W.P.No.17461 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.17461 of 2023

and

W.M.P.Nos. 16606 and 16607 of 2023

Ramachandiran

... Petitioner

Vs.

1.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
District Collector Office,
DRO Chamber,
Trichy - 620 001.

2.The District Manager (Cuddalore),
Tamil Nadu State Marketing Corporation Limited,
Sidco Industrial Estate,
Kudikadu, Cuddalore - 607 005.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in pursuant to the proceedings of the second respondent in Se.Mu.No.A1(RV)/3081/2674/2023 dated 23.05.2023 and quash the same as arbitrary, illegal and unjust in Law and consequently direct the respondents to reinstate the petitioner in the post of Supervisor.



W.P.No.17461 of 2023

WEB COPY

For Petitioner : Mr. K.Manimaran

For Respondents : Mr. C.Ramesh
Standing Counsel

ORDER

The petitioner has filed the present writ petition seeking issuance of a Writ of Certiorarified Mandamus, to quash the proceedings on the file of the second respondent in Se.Mu.No.A1(RV)/3081/2674/2023 dated 23.05.2023 as arbitrary, illegal and unjust in Law and consequently direct the respondents to reinstate the petitioner in the post of Supervisor.

2. The petitioner's grievance is that he is working as supervisor in TASMAL Shop No.2674 at Panaiyanthur, Thittagudi Taluk, Cuddalore District and that based on the news telecasted in News J Channel on 21.05.2023, the respondents have taken action against the petitioner for his alleged involvement, without enquiring about the credibility of the news item or by giving a fair opportunity to the writ petitioner before passing the impugned order.



W.P.No.17461 of 2023

WEB COPY

3. The impugned order dated 23.05.2023 is perused. It is clear from the impugned proceedings that the petitioner has not been heard or given an opportunity to put forth his case before punitive action was taken by the respondents.

4. The only subject which is mentioned in the said impugned proceedings is the news item, which was telecasted on 21.05.2023. The action of the respondent is in gross violation of principles of natural justice and fair play. The petitioner ought to have been given a fair opportunity to defend the allegations against him, before any orders have passed by the respondents.

5. On this limited ground, the impugned order deserves to be set aside and is accordingly set aside. However, it is open to the respondents to conduct a fresh enquiry after hearing the petitioner, including giving the petitioner an opportunity by way of personal hearing and thereafter, it is open to the respondents to pass suitable orders on merits and in accordance with law.



W.P.No.17461 of 2023

WEB COPY

6. This exercise shall be carried out by the respondents within a period of four weeks since the petitioner's reinstatement would depend on the orders to be passed.

7. This Writ Petition is allowed accordingly. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

13.06.2023

Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes / No

arb



W.P.No.17461 of 2023

WEB COPY

To

- 1.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
District Collector Office,
DRO Chamber,
Trichy - 620 001.
- 2.The District Manager (Cuddalore),
Tamil Nadu State Marketing Corporation Limited,
Sidco Industrial Estate,
Kudikadu, Cuddalore - 607 005.



WEB COPY



W.P.No.17461 of 2023

P.B.BALAJI, J.

arb

W.P.No.17461 of 2023

and

W.M.P.Nos.16606 and 16607 of 2023

13.06.2023