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W.P.No.24822 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.24822 of 2023**  
**and W.M.P.Nos.24219 and 24221 of 2023**

1. V.Moorthy
2. B.Jayachandran
3. V.Periyasamy
4. P.Vadivel

... Petitioners

-Vs-

1. The Managing Director,  
TASMAC Limited,  
Head Office,  
Egmore, Chennai – 600 008.
2. The Senior Regional Manager,  
TASMAC Limited,  
Chennai Region,  
Ambattur, Chennai – 600 058.
3. The District Manager (In-Charge),  
Tamil Nadu State Marketing Corporation Limited,  
TASMAC,  
Chennai (SOUTH) District.  
B-4 Ambattur Industrial Estate,  
Ambattur, Chennai - 600 058.

... Respondents



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**Prayer:-** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for records relating to the impugned order passed by the third respondent dated 26.07.2023 in Semu.No.RV-1/233/2023 and quash the same and directing the respondents to give an employment to the petitioners at Shop No.715 in TASMAL Liquor retail Elite Shop, Velacherry at Chennai.

For Petitioner : Mr.D.Dhayalan  
For Respondents : Mr.K.Sathishkumar.

**ORDER**

This Writ Petition has been filed challenging the order passed by the third respondent dated 26.07.2023, thereby suspended the petitioners from their service.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

3. The petitioners were selected and appointed as part time/ temporary salesmen, on contract basis on 29.11.2003. Subsequently, they were transferred to various shops. Thereafter, a complaint was given



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by the customer of liquor, alleging that they are selling liquors in excess price from the Maximum Retail Price. On inspection, they found that in Shop No.715, the Liquors were sold out on excess price than the Maximum Retail Price. Therefore the petitioners were suspended from service by an order dated 26.07.2023. Thereafter the petitioners submitted a representation to revoke their suspension order and reinstate them into service. So far no charge sheet was served on the petitioners.

4. The petitioners were suspended only by the competent authority viz., the third respondent. Therefore, this Court cannot interfere with the order of suspension issued by the third respondent. However, the petitioners made representation to revoke the order of suspension.

5. Considering the above facts and circumstances of the case, the third respondent is directed to frame charges against the petitioners and complete the enquiry and pass final orders, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ petition is disposed of.

Consequently, connected Miscellaneous petitions are closed. No costs.

22.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

mn/nsl



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**G.K.ILANTHIRAIYAN, J.**

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