



Writ Petition No.30098 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition No.30098 of 2023

and

W.M.P.Nos.29723, 29724 & 29725 of 2023

K.Ramachandran
S/o.Kathirvel

... Petitioner

Vs.

1. The Managing Director
Tamil Nadu State Marketing Corporation Ltd., (TASMAC)
4th Floor, CMDA Building, Tower-II
Chennai-600 008.

2. The Senior Regional Manager
Tamil Nadu State Marketing Corporation Ltd.,
Trichy.

3. The District Manager
Tamil Nadu State Marketing Corporation Ltd.,
Cuddalore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus calling for the records



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in pursuant to the proceedings of the 3rd respondent in Se.Mu.No.A1(RV)/3081/2529/2020 dated 27.06.2022 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.

For Petitioner : Mr.M.Manimaran

For Respondents : Mr.C.Ramesh
standing counsel

ORDER

This Writ Petition has been filed seeking for Certiorarified Mandamus to call for the records vide proceedings of the 3rd respondent in Se.Mu.No.A1(RV)/3081/2529/2020 dated 27.06.2022 and quash the same and consequently, to direct the respondents to reinstate the petitioner in the post of Supervisor.

2. Mr.C.Ramesh, learned standing counsel accepts notice for respondents. By consent of both sides, the main writ petition is taken up for final disposal at the admission stage itself.



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3. The case of the writ petitioner is that he was working as a Supervisor in Tasmac Shop No.2504, Cuddalore and he was placed under suspension temporarily by the third respondent vide impugned order dated 27.06.2022 in SE.MU.NO.A1(RV)/3081/2529/2020. Thereafter, the third respondent issued a charge memo dated 07.07.2022. Pursuant to the above charge memo, the writ petitioner submitted reply by refusing the charges made in the charge memo. The third respondent appointed an enquiry officer vide order dated 10.08.2022 to enquiry the charges made against the writ petitioner and enquiry officer issued a notice and called writ petitioner to participate in the enquiry on 18.08.2022. Accordingly, writ petitioner participated in the enquiry. The Enquiry Officer submitted his enquiry report but the entire enquiry report was not furnished to the writ petitioner. Hence, the writ petitioner made a representation on 16.02.2023 to the respondents requesting to reinstate him into service. Till date, no action was taken by the respondents. Hence, the present writ petition has been presented in this Court on 10.10.2023.



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4. Learned counsel for writ petitioner submitted that the order of suspension passed against the writ petitioner without passing any final order is against the principles of natural justice. Learned counsel for writ petitioner further submitted that the allegations raised against him is purely baseless and no detailed order was passed. Learned counsel for the petitioner submitted that the petitioner's grievance would be redressed if a direction is given to the respondents to consider and pass appropriate orders on his representation dated 16.02.2023.

5. Learned standing counsel for respondents submits that appropriate orders on the writ petitioner's representation dated 16.02.2023 on merits and in accordance with law shall be passed by the concerned respondent as expeditiously as possible.

6. In view of the above submissions, this Court directs the respondents herein to consider the petitioner's representation dated 16.02.2023 and pass appropriate orders on the same on merits and in



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accordance with law within a period of four weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.10.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No

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V.BHAVANI SUBBAROYAN., J

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To

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