



W.P.(MD).No.9791 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9791 of 2023

and

W.M.P(MD) No.8628 of 2023

R.Balamurugan

... Petitioner

Vs.

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

2. The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC), Plot No.100, Annanagar,
Madurai – 625 020.

3. The District Manager,
Tamil Nadu State Marketing Corporation Limited,
(TASMAC),
Theni, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order issued by the third respondent in Na.Ka.No. 000470/2022/A1, dated Nil.01.2023 and quash the same.



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For Petitioner : Mr.Shaji Chellan.L

For Respondents : Mr.S.Sivanesan
Standing Counsel

ORDER

The present Writ Petition has been filed by a Salesman of Tamil Nadu State Marketing Corporation Limited, (TASMAC) challenging an order of suspension on the ground that during internal audit, shortage of stock was found and in contemplation of departmental enquiry, he was placed under suspension.

2. The learned Standing Counsel appearing for the TASMAC brought to the notice of this Court that an order dated 23.08.2023 has been passed, wherein, the departmental enquiry has been concluded and penalty has been imposed upon the writ petitioner to pay the penalty amount within a period of seven days.

3. However, the learned counsel appearing for the writ petitioner has not received any instructions with regard to the payment of the said amount.



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4. Since the order of suspension was imposed, pending departmental proceedings and now, the proceedings has been concluded and punishment has been imposed, this Court does not find any reason for continuation of order of suspension. The order impugned in the writ petition is set aside.

5. Accordingly, this writ petition stands allowed. It is for the writ petitioner to work out his remedy in the manner known to law with regard to the imposition of penalty. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

02.11.2023

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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