



W.P(MD)No.10476 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10476 of 2023

and

W.M.P.(MD)No.9311 of 2023

P.Ayyanar

... Petitioner

Vs.

1.Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC),
Rep. by its Managing Director,
CMDA Tower – II, IV Floor,
Gandhi Irwin Bridge Road,
Egmore, Chennai – 600 008.

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

3.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC), Narikuravar Colony,
Thondi Road, Palmalai Nagar,
Soorakulam Village,
Sivagangai – 630 606.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.A1/636/2023, dated 18.04.2023 and quash the same as illegal, arbitrary and without application of mind and consequently direct the respondents to permit the petitioner herein to work as Salesman in TASMAC Shop No.7541, at Manamadurai, Sivagangai District with continuity of monetary and service benefits, within the time frame fixed by this Court.

For Petitioner : Mr.A.Arumugam
For Mr.S.Kishore Kumar

For Respondents : Mr.H.Arumugam,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The petitioner is employed as Salesman in a liquor outlet run by the respondent corporation. By the impugned order dated 18.04.2023, he has been suspended from service. A copy of the charge memo has also been enclosed in the typed set of papers. I decline to interfere with the



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charge memo issued by the respondents. It is for the petitioner to offer his explanation and contest the matter on merits. In this writ petition, the scope is confined to the suspension order passed against the petitioner.

3.Two reasons have been set out in the affidavit filed in support of the writ petition. One is registration of criminal case against the petitioner. It is not case of the employer that the criminal case had anything do with the discharge of official duties by the petitioner. The other reason mentioned is that the petitioner has not been reporting for duty. However, the details have not been spelt out. Even the charge appears to be delightfully vague. In any event, for these reasons, the petitioner's suspension need not continue. Any order of suspension should serve some purpose. While there may be some justification in passing the initial order of suspension, the authorities are bound to periodically review the matter. I am more than satisfied that the suspension need not continue any further. The third respondent is directed to revoke the petitioner's suspension and permit him to report for duty immediately and forth with.



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G.R.SWAMINATHAN, J.

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4.This writ petition is allowed. No costs. Consequently,
connected miscellaneous petition is closed.

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