



W.P.(MD).No.18913 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.18913 of 2023
and WMP(MD)No.15713 of 2023

M.Rajasekaran

... Petitioner

Vs

The Senior Regional Manager,
TASMAC, No.100, Anna Nagar,
Madurai - 20.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the respondent to dispose the appeal filed by the petitioner, dated 09.01.2017 within a time stipulated by this Court.

For Petitioner : Mr.M.Rajasekaran (Party In Person)

For Respondent : Mr.H.Arumugam
Standing Counsel



W.P.(MD).No.18913 of 2023

WEB COPY

ORDER

The present writ petition has been filed seeking a direction to the respondent to dispose the appeal filed by the petitioner, dated 09.01.2017 within a time stipulated by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, Mr.M.Rajasekaran (Party In Person) appearing for the petitioner and Mr.H.Arumugam, learned Standing Counsel appearing for the respondent. Perused the materials on record.

4.(i).The petitioner was appointed as a Salesman by the Tamil Nadu State Marketing Corporation Limited, Sivagangai District on 29.12.2003. Thereafter, he was transferred to Shop No.7664, Thiruppachethi. While he was in service, he was dismissed on the ground that a criminal case was filed against him in C.C.No.148 of 2014 on the file of Judicial Magistrate Court



W.P.(MD).No.18913 of 2023

No.II, Sivagangai. However, the petitioner was acquitted in the said case, vide Judgment, dated 09.05.2019.

(ii).In the meanwhile, it was informed to the petitioner that he was dismissed from service. Therefore, the petitioner filed W.P.(MD)No.21094 of 2019 calling for the records of the second respondent, with respect to order of termination, dated 30.08.2016.

(iii).This Court was pleased to dismiss the said writ petition, with a liberty given to the petitioner to prefer an appeal challenging the said termination order, within a period of 30 days, from the date of receipt of copy of the order.

(iv).In view of the same, the petitioner made an appeal before the respondent on 09.01.2017 against the termination order, dated 30.08.2016. However, the same was not considered by the respondent, after lapse of six years. Hence, the writ petition came to be filed.

5.When this matter came up for hearing, the learned counsel for the respondent submitted that notice has already been served upon the petitioner to attend the enquiry on 28.08.2023, with respect to said appeal, dated 09.01.2017.



W.P.(MD).No.18913 of 2023

WEB COPY

6.Recording the same, this Court hereby direct the petitioner to appear before the respondent and participate in the enquiry on 28.08.2023 and the respondent is directed to conclude the enquiry and pass orders, in accordance with law, within a period of one (1) week, from the date of receipt of a copy of this order.

7.Accordingly, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

24.08.2023

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

To

The Senior Regional Manager,
TASMAC, No.100, Anna Nagar,
Madurai - 20.



WEB COPY



W.P.(MD).No.18913 of 2023

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.18913 of 2023
and WMP(MD)No.15713 of 2023

24.08.2023