



W.A(MD)No.363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.363 of 2023
and
CMP(MD)No.3983 of 2023**

1. The Managing Director,
Tamil Nadu State Marketing Corporation,
CMDA, Tower-II, 4th Floor,
Egmore, Chennai.

2. The Senior Regional Manager,
TASMAC,
Trichy.

3. The District Manager,
TASMAC,
BHEL Nagar,
Thuvakudi,
Trichhirappalli-620 015.

... Appellants

vs.

T.Ramesh

... Respondent

PRAYER : Appeal filed under Clause 15 of Letters Patent,
against the order passed in W.P(MD)No.13928 of 2022 dated
19.10.2022.



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For Appellants : Mr.S.Sivanesan
For Respondent : Mr.S.Paul Muruges

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JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

We see no merit in the writ appeal. The Writ Court has found as of fact that there was no enquiry and the order of dismissal was not communicated to the employee.

2. The learned counsel for the appellants Corporation would contend that there was an enquiry and the order was communicated to the employee. He would also rely upon the alleged acknowledgment card that is now been produced as part of the typedset of papers.

3. We do not think that we could accept such submission. The Writ Court has found that there was no enquiry. Hence, we do not think we should interfere with the order of the Writ Court, inasmuch as the Writ Court has also remitted the matter giving liberty to the appellants to issue a fresh charge memo. There is a direction also to complete the enquiry within a period of sixteen



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weeks. Since the time so granted has expired, we extend the time for completion of the enquiry by three months from today.

4. The Writ Appeal is disposed of with the above modification. No costs. Connected miscellaneous petition is closed.

**(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
31.03.2023**

Index : Yes / No
Internet : Yes
Neutral Citation : Yes / No
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JUDGMENT MADE IN
W.A(MD)No.363 of 2023
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