



W.P(MD)No.28209 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28209 of 2023
and
W.M.P(MD)No.24278 of 2023

V.Jayan

... Petitioner

Vs.

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

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited
(TASMAC),
Plot No.100, Anna Nagar,
Madurai-20.

3.The District Manager,
Tamil Nadu State Marketing Corporation Limited
(TASMAC),
TASMAC IMFS Depot,
Bethal Nagar, Chenbagaramanputhur,
Aralvaimozhi,
Kanyakumari District.

... 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 in relation to impugned order in Na.Ka.No.A1/4691/2021, dated 19.10.2023 on the file of the third respondent and quash the same as illegal and consequently direct the third respondent to allow the petitioner to continue his work at TASMAC Shop No.4825.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.S.Sivanesan
Standing Counsel

ORDER

The present writ petition has been filed by a Salesman in a TASMAC Shop challenging an order of transfer from a particular shop to the godown.

2. According to the learned Counsel appearing for the petitioner, he was suspended on the allegation that he has charged more than the MRP rates for the liquor bottles. He was issued with a charge memo and after completion of the enquiry, he has been imposed with a penalty. The petitioner has accepted the said penalty and paid the penalty also. Thereafter, the order of suspension has been revoked and the present order of transfer has been made shifting the petitioner from the TASMAC shop to the godown at Aralvaimozhi in Kanyakumari District. This order is under challenge in the present writ petition.



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3. According to the learned Counsel appearing for the writ petitioner, the order is stigmatic in nature and therefore, the order should be quashed.

4. Considering the fact that enquiry has already been completed and the petitioner has accepted the penalty and paid the fine as on today, no enquiry is pending as against the writ petitioner. In view of the culmination of the enquiry proceedings, the suspension order has been revoked and he has been transferred from the shop to the godown. This Court does not find any reason to interfere in the said order. Hence, this writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

30.11.2023

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

To

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited
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2.The Senior Regional Manager,
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3.The District Manager,
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R.VIJAYAKUMAR, J.

BTR

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