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W.P.No.5170 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5170 of 2024
and
W.M.P.No.5689 of 2024

S.Ramadoss

...Petitioner

-Vs-

The District Managar,
TASMAC Ltd.,
Kancheepuram (South),
Kancheepuram

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari to call for the records on the file of the respondent in Ref.நகஎண்.160/அ1/2024 நாள்:14.02.2024.

For Petitioner : M/s.D.Bharathy

For Respondent : Mr.K.Balakrishnan
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order dated 14.02.2024 passed by the respondent, thereby the petitioner was suspended from service.

2. Heard the learned counsel appearing on either side and perused



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the materials available on record.

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3. The petitioner had joined the respondent Corporation as Supervisor. While the petitioner was working in TASMAL shop No.4016, a squad of the respondent officials had inspected the petitioner's shop on 13.02.2024 and found that he had sold the liquor bottles with excess amount of Rs.20/- on the maximum retail price. Thereafter, the petitioner was given an opportunity to submit his explanation. Without being satisfied with the explanation, the respondent suspended the petitioner from service on 14.02.2024.

4. The learned counsel appearing for the petitioner would submit that the petitioner was on leave on the date of inspection i.e., 13.02.2024. That apart, he was only a Supervisor and the Salesmen only sold out the liquor bottles on excess price against the maximum retail price.

5. A perusal of the impugned order reveals that the petitioner, being the Supervisor, failed to supervise the sales conducted by the salesman. Admittedly, the salesman, viz., K.Gopinathan, had sold out the liquor bottle for excess price against the maximum retail price. Further, there was a prima-facie



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case made out and as such, the respondent rightly suspended the petitioner from service and this Court finds no infirmity or illegality in the order passed by the respondent.

6. Accordingly, this Writ Petition stands dismissed. It is needless to say that the respondent ought to have been paid the subsistence allowance to the petitioner during his suspension period. Consequently, connected miscellaneous petitions are closed. No costs.

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Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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To

The District Managar,
TASMAC Ltd.,
Kancheepuram (South),
Kancheepuram.

G.K.ILANTHIRAIYAN. J.

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