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W.P.No.5925 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM:

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

W.P.No.5925 of 2024
and W.M.P.No.6590 of 2024

D.Jayashankar

... Petitioner

-Vs-

1. Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC) represented by its Managing Director,
CMDA Building 4th Floor Phase II,
Egmore, Chennai – 8.

2. The Senior Religious Manager,
The Tamil Nadu State Marketing Corporation Ltd.,
SIDCO Ambattur Industrial Estate, Ambattur,
Chennai – 53.

3. The District Manager,
The Tamil Nadu State Marketing Corporation Ltd.,
No.29 and 30, SIDCO Industrial Estate,
Kakkalur, Thiruvallur West,
Chennai Region.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for records of order made in Na.Ka.No.A-1/106/2024 dated 17.02.2024 by the third respondent and quash the same and direct the third respondent to reinstate the petitioner with regularization, emoluments benefits, as per the Rules and Regulations applicable to TASMAC.

For Petitioner : Mr.P.Sidharthan



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For Respondents : Mr.K.Balakrishnan
Standing Counsel

ORDER

This writ petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for records of order made in Na.Ka.No.A-1/106/2024 dated 17.02.2024 by the third respondent and quash the same and direct the third respondent to reinstate the petitioner with regularization, emoluments benefits, as per the Rules and Regulations applicable to TASMAC.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was selected to the post of Supervisor under the first respondent and he was appointed on regular basis and on consolidated salary. While he was absent for the duty on 14.02.2024, on the complaint alleging that the petitioner and other salesmen had sold the liquor bottles more than the Market Price of Rs.10/-, the petitioner and other salesmen of the very same shop were placed under suspension. Therefore, the petitioner submitted a representation to revisit the order of suspension, on the ground that the petitioner was not on duty on that particular day, since he was suffering from



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illness and went to Government Hospital, Ponneri. However, the petitioner failed to submit any leave letter on that day.

4. Though this Court is not inclined to interfere with the order of suspension passed by the third respondent, the third respondent is directed to consider the representation submitted by the petitioner seeking revocation of his order of suspension and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

07.03.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,

mn

To

1. The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.,
CMDA Building 4th Floor Phase II,
Egmore, Chennai – 8.
2. The Senior Religious Manager,
The Tamil Nadu State Marketing Corporation Ltd.,
SIDCO Ambattur Industrial Estate, Ambattur,
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