



W.P.No.9892 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9892 of 2024
and W.M.P.Nos.10897 & 10900 of 2024

D.Settu

.. **Petitioner**

Vs.

1.The Managing Director
Tamil Nadu State Marketing
Corporation Ltd (TASMAC)
Thalamuthu Natarajan Maaligai
4th Floor, C.M.D.A Building
Egmore, Chennai – 600 008.

2.The Senior Regional Manager
Tamil Nadu State Marketing
Corporation Ltd (TASMAC)
Salem, Salem District.

3.The District Manager
Tamil Nadu State Marketing
Corporation Ltd (TASMAC)
Vellore District.

.. **Respondents**



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, call for the records relevant to the order in Se.Mu. No.R.1/ 005901 / 2020 dated on 10.12.2020 passed by the 1st respondent by confirming the order of 2nd respondent in Se.Mu.No.794/ 2013/ A dated 11-4-2018 and order of 3rd Respondent in Se. Mu. Na.Ka. no.A2/ 642 (1) /C.V. / 2010 dated 17-12-2011 and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice consequently thereby direct the respondents to consider the petitioner representation dated on 22.07.2022 pending on the file of respondents reinstate the petitioner into his service in the respondents department and pay back all service benefits to the petitioner with effect from 30.06.2010 in the light of Judgement in W.P. No.33851/ 2018 dated 18.10.2023.

For the Petitioner : Mr.B.Sundarapandiyan

For the Respondents : Mr.Balakrishnan,
Standing Counsel

ORDER

When the matter is came up for hearing, the learned counsel appearing on either side are at *idem* and would submit that in a similar



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situation, the issues were considered by a co-ordinate Bench of this Court in W.P.No.21512 of 2019 and an order has been passed on 20.12.2023. The operative portion of the said order is extracted hereunder:-

"8. In the result, the Writ Petition is partly allowed and the impugned order dated 23.12.2015 passed by the 1st respondent and as confirmed by the 2nd respondents and 3rd are set aside and the matter is remanded to the respondent for fresh adjudication strictly in accordance with law/Rules/Regulations and pending culmination of the disciplinary proceedings, the 1st respondent is directed to reinstate the petitioner forthwith. An undertaking shall be given by the petitioner to the 1st respondent to the effect that he will not indulge in such kind of illegal activities in future. The question of payment of back-wages and conferment of attendant benefits shall be decided subject to the result of the enquiry proceedings. No costs."

2. In view thereof, the present Writ Petition is disposed of on the same terms. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes
Neutral Citation : No
Speaking order : Yes

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D.BHARATHA CHAKRAVARTHY, J.

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To

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