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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 30.09.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.28756 of 2024**  
**and W.M.P.No.31367 of 2024**

Saravanan

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Marketing Corporation Limited (TASMAC)  
4<sup>th</sup> Floor, CMDA Building Tower II,  
Gandhi Irwin Bridge Road,  
Egmore, Chennai – 600 008.

2.The Senior Regional Manager,  
Tamil Nadu State Marketing Corporation Limited,  
Salem – 16,  
Salem District.

3.The District Manager,  
TASMAC,  
Thiruvannamalai,  
Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned suspension order in Se.Mu.Aa.No.Al/927 /2024 dated 21.08.2024 passed by the 3rd respondent and quash the same. Consequently direct the 3rd respondent to re-instate the petitioner into service.



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For Petitioner : Mr.K.Balu

For Respondents : Mr.K.Balakrishnan  
Standing Counsel

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### **ORDER**

This writ petition has been filed challenging the proceedings of the respondent dated 21.08.2024 and for a consequential direction to respondent to reinstate the petitioner into service.

2. Heard Mr.K.Balu, learned counsel for petitioner and Mr.K.Balakrishnan, learned Standing Counsel for respondent.

3. The petitioner was working as a Supervisor in a domestic shop. On 09.08.2024, a surprise check was made and it was found that the salesman was selling the liquor bottles for an excess amount of Rs.10/- more than the MRP rate. In view of the same, proceedings were initiated and the respondent issued the impugned proceedings dated 21.08.2024 and thereby, the petitioner was suspended from service. The same has been put to challenge in the present writ petition.



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4. In the considered view of this Court, the petitioner is a first time offender and he is governed by a circular issued by the Managing Director, Tamil Nadu State Marketing Corporation Limited (TASMAC), dated 21.01.2019, which deals with the manner in which the first time offender will have to be dealt with. This issue was also considered by this Court in the earlier order passed in W.P.No.27468 of 2024, dated 18.09.2024.

5. In view of the above, the impugned proceedings of the 3rd respondent dated 21.08.2024 is hereby set aside. There shall be a direction to deal with the issue in line with the circular issued by the Managing Director, Tamil Nadu State Marketing Corporation Limited (TASMAC), dated 21.01.2019 and pass appropriate orders within a period of two (2) weeks from the date of receipt of a copy of this order.

This writ petition is allowed with the above direction. No costs.  
Consequently, connected miscellaneous petition is closed.

**30.09.2024**

Neutral Citation: Yes/No  
Index: yes/no  
Speaking Order/Non-Speaking Order  
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**N.ANAND VENKATESH, J**

SSR

To

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