



WEB COPY



W.P.No.34022 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.34022 of 2024 and
W.M.P.No.36843 of 2024

C. Thangaraj

...Petitioner

Vs

1. The Managing Director
Tamil Nadu State Marketing
Corporation Limited (TASMAC) Ltd.,
C.M.D.A. Tower-II, Chennai – 600 008.

2. The Regional Manager,
TASMAC Limited,
No.56, Brindavan Road, Fairlands,
Salem, Tamil Nadu 636 916.

3. The District Manager,
TASMAC Limited,
IMFS Depot, Kanaathampoondi Village,
Tiruvannamalai, Tamil Nadu, 606 603.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records on the file of 3rd Respondent which culminated in suspension order made



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in Se.Mu.AaNo.A1/927/2024 dated 13.08.2024 and quash the same and direct the respondent to reinstate the petitioner to his original position as Salesman in TASMAC retail Shop No.9268 and pass orders.

For Petitioner : Mr. C. Johnson
For Respondent : Mr.C. Ramesh
Standing Counsel

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Certiorarified Mandamus calling for the records on the file of 3rd Respondent which culminated in suspension order made in Se.Mu.Aa.No.A1/927/2024 dated 13.08.2024 and quash the same and direct the 3rd respondent to reinstate the petitioner to his original position as Salesman in TASMAC retail Shop No.9268 and pass orders.

3. The facts of the case is that the petitioner was working as a Salesman in the Tamil Nadu State Marketing Corporation (TASMAC).



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Whiles, on 09.08.2024 a surprise inspection was made and it was found that the petitioner is selling the liquor more than the Maximum Retail Price at the rate of Rs.10. Therefore, the same was intimated to the Head officer of the TASMAC and the petitioner was suspended by the third respondent vide order dated 13.08.2024 in Se.Mu.Aa.No.A1/927/2024, which has given rise to this petition.

4. The learned counsel for the petitioner submitted that the petitioner has not committed any irregularities as alleged in the suspension order. He further submitted that a direction may be issued to the respondent to complete the enquiry earlier and pay the subsistence allowance to the petitioner.

5. The learned Standing Counsel appearing for the respondents submitted that they will consider the case as per the circulars issued by the Department and pass final orders in the suspension order within the time frame fixed by this Court.



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6. For the foregoing reasons, the impugned order dated 13.08.2024 in Se.Mu.Aa.No.A1/927/2024, is hereby quashed and the respondents are directed to conduct enquiry and pass appropriate orders on merits and in accordance with law on or before 28.02.2025.

7. With the above observations this writ petition stands allowed. No order as to costs. Consequently, the connected miscellaneous is also closed.

14.11.2024

Index:Yes/No
Speaking order/Non-speaking order
smn

To.

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V.BHAVANI SUBBAROYAN,J.



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