



W.P.No.5380 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.5380 of 2022

Elango

... Petitioner

Vs.

The District Manager,
Tamilnadu State Market Corporate Ltd (TASMAC)
Coimbatore Division
Coimbatore.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the respondent in Na.Ka.No.1151/07/R.V1 dated 01.12.2007 against the petitioner and to quash the same and subsequently directing the respondent to cancel the supervisor order and subsequently reinstate the supervisor in TASMAC post.

For Petitioner : Mr.T.Balachandran

For Respondents : Mr.K.Satish Kumar, Standing counsel



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ORDER

The Writ Petition has been filed for the following reliefs:-

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“calling for the records relating to the impugned proceedings issued by the respondent in Na.Ka.No.1151/07/R.V1 dated 01.12.2007 against the petitioner and to quash the same and subsequently directing the respondent to cancel the supervisor order and subsequently reinstate the supervisor in TASMACH post.”

2. The main grievance of the petitioner is that the respondent had terminated him from service without giving him any opportunity to put forth his case.

3. Heard the learned counsel on either side and perused the records.

4. A perusal of the records would reveal that no notice whatsoever has been issued to the petitioner prior to the passing of the termination order. Therefore, the impugned order shall be treated as a show cause notice. The petitioner shall submit his explanation within a period of two weeks from the date of receipt of a copy of this order and within a period of one month therefrom the respondent shall conduct an enquiry and after affording the petitioner an opportunity of personal hearing, pass a speaking order on merits and in accordance with law.



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5. At this juncture, it is submitted that till the passing of the termination order, the petitioner was entitled to subsistence allowance, which was not paid to the petitioner. Therefore, the eligible subsistence allowance shall be paid to the petitioner and only after the payment of the subsistence allowance, the enquiry shall be conducted. Since the termination order has been set aside, the petitioner shall be reinstated in service till the passing of the final order. The learned counsel for the petitioner on instructions submitted that the petitioner shall not seek backwages till the passing of the final order.

6. With the above directions, the Writ Petition stands allowed. No costs.

05.12.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The District Manager,
Tamilnadu State Market Corporate Ltd (TASMAC)
Coimbatore Division
Coimbatore.



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P.T. ASHA. J.,

(shr)

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