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W.P.No.18640 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.18640 of 2025
and
W.M.P.No.20880 of 2025

N.Ravi (61/2025)

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
CMDA Tower II, 4th Floor,
Egmore,
Chennai 600 008.

2. The Senior Regional Manager,
TASMAC limited,
Chennai Region.

3. The District Manager,
TASMAC limited,
Thiruvallur (West) District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus to call for the records
relating to the impugned order made Proc.No.M1/5724/2024, dated
28.08.2024 passed by the 1st respondent and the charge memo in



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Na.Ka.No.M.3/8078/2023-2 dated 11.06.2024 and quash the same and consequently direct the respondents to permit the petitioner to retire from service on the date of his superannuation i.e., on 31.08.2024 and direct the respondents to pay the retirement benefits payable to the petitioner within a reasonable time stipulated by this Court.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.K.Balakrishnan
Standing Counsel for TASMACH

ORDER

This Writ Petition has been filed challenging the impugned order dated 28.08.2024, where the petitioner is not permitted to retire from service on account of the pendency of the charge memo dated 11.06.2024.

2. The learned counsel for the petitioner would submit that the petitioner's date of superannuation is 31.08.2024. However, without any basis, on the verge of his retirement, a charge memo was issued, which is in contravention to G.O. Ms.No.111, Human Resource Management Department, dated 11.10.2021.



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3. It is the contention of the learned Standing Counsel appearing for the respondents that the petitioner has tampered with the records along with one G.Kalaimannan. In this regard, there is a criminal complaint under the Prevention of Corruption Act. Only because of such First Information Report registered against the said G.Kalaimannan, and pendency of departmental proceedings against the petitioner as well as the said G.Kalaimannan, the petitioner was not permitted to retire from service. Therefore, it is the contention of the learned Standing Counsel for the respondents that there is no merit in the instant Writ Petition.

4. I have given my anxious consideration to the submissions made on either side.

5. It is apparent on the face of the records that there is a charge memo pending against the petitioner since June 2024. Only due to the pendency of the charge memo, he was not permitted to retire from service. The factum of pendency of the charge memo is not in dispute. In such view of the matter, this Court does not find any merit in this Writ Petition.



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6. Accordingly, this Writ Petition is dismissed. However, considering the submission made by the learned counsel for the petitioner, this Court deems it appropriate to direct the respondents to dispose of the disciplinary proceedings on its own merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed. No costs.

06.06.2025

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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C.KUMARAPPAN, J.

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