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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 1680 of 2024

And

W.M.P.Nos. 1724 & 1723 of 2024

C.Srinivasan

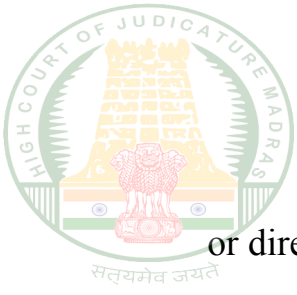
... Petitioner

..Vs..

1. The Managing Director
Tamil Nadu State Marketing Corporation Ltd.,
Chennai – 600008.
2. The District Manager
Arokkonam District,
Tamil Nadu State Marketing Corporation Ltd.,
(TASMAC), SIPCOT, Ranipet, Vaalaja Taluk,
Vellore District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus calling for the records of the order passed by the second respondent dated 15.02.2023 in Na.Ka.No.A2/968/C.V/2015 and quash the same and direct the respondents to revoke the order of suspension and reinstate the petitioner into service with all service and monetary benefits or any other appropriate writ or order



or direction in the nature of writ.

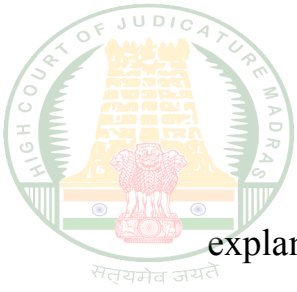
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For Petitioner	:: Mr. P.Mahalakshmi
For Respondents	:: Mr. K.Balakrishnan Standing Counsel

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking interference with an order of the second respondent dated 15.02.2023 and to direct the respondents to revoke the order of suspension and reinstate the petitioner into service.

2. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner was working as Supervisor in shop No. 11062 Periyakaram ad shop No.11329 Kennedykuppam at Ranipet. There was a shortfall of Rs.8,17,440/- in the sales. The petitioner was suspended by an order dated 10.06.2015 under charge memo issued on 15.06.2015. An explanation was given by the petitioner and that was rejected and enquiry officer was appointed, enquiry was conducted. The charges were held to be established. Thereafter, further show cause notice was issued and further



explanation was called for. The petitioner had been placed under suspension on 10.06.2015. By this Writ Petition, the petitioner seeks revocation of the order of suspension.

3. It is contended on behalf of the respondents that the total amount which fell short according to the respondents, acts of omission and commission by the petitioner was about Rs.13,00,000/-. The petitioner had commenced repayment of the amount and it is stated by the learned counsel that a total sum of Rs.10,000/- has been paid and also to show bona fide, yesterday / 10.03.2025, a sum of Rs.50,000/- had been paid. Placing the petitioner under suspension without extracting any work would only be to the detriment of the respondents. They will have pay the subsistence allowance.

4. It would only be appropriate that some work is extracted and the petitioner be posted in a non sensitive post. The order of suspension may be revoked. But however, the petitioner has a duty and responsibility to return back the amounts which the respondents alleged are in short. The balance amount payable is Rs.2,50,000/- and the petitioner repay the same in four



separate installments but at any rate, the last installment to be paid on or before 30.09.2025.

5. A direction is given to the second respondent to revoke the order of suspension and extract work from the petitioner by placing the petitioner in a shop but atleast in non sensitive post.

6. The Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions stand closed. No order as to costs.

11.03.2025

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The Managing Director
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C.V.KARTHIKEYAN, J.,

vsg



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5

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