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W.P. No.38306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.38306 of 2025

and

W.M.P. Nos.42828, 42830 and 42832 of 2025

A. Mosin

... Petitioner

vs.

1.

1. The District Manager,
The Tamilnadu State Marketing
Corporation Limited, (TASMAC)
No.59A, Compartment No.11,
Chennai Trunk Road,
Villupuram - 605 602.

2. The Senior Regional Manager,
The Tamilnadu State Marketing
Corporation Limited, (TASMAC)
District Collector Office,
Old Building First Floor,
DRO Chamber, Tiruchirappalli - 620 001.

3. The Managing Director,
The Tamilnadu State Marketing
Corporation Limited, (TASMAC)



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CMDA Tower-11, 4th floor,
Gandhi Irwin Bridge Road,
Egmore,
Chennai-600 008.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records of the first respondent in its proceeding in Na.Ka.No.A1/798/2021 dated 15.11.2022 and the proceedings of the second respondent in Na.Ka.No.5918/2022(A5) dated 18.01.2024 and quash the same and to consequently direct the 3rd respondent to pass an order in the review petition dated 29.01.2024 within a time period.

For petitioner : Mr.K. Bharathi
For respondents : Ms.V.S. Saranya
Standing Counsel

ORDER

Ms.V.S. Saranya, learned Standing Counsel, takes notice for respondents.

By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Short facts leading to filing of this writ petition are as follows :-



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a) The petitioner was working as a Salesman in the respondent Corporation from the year 2003. On 10.08.2014, the TASMAC Vigilance team inspected shop No.11798 and alleged a stock shortage to the tune of Rs.49,440/- along with certain other irregularities, pursuant to which, the petitioner and one Supervisor by name Panneerselvam were placed under temporary suspension on 11.08.2014. However, stating administrative reason, his co-employee, who was charged with him, was reinstated by the District Manager on 12.02.2016.

b) When that being so, subsequently on 15.11.2022, the District Manager issued an order of termination against the petitioner, even though the charges framed against him were not duly proved. Aggrieved by the said order, he preferred an appeal before the 2nd respondent on 05.12.2022.

c) Even though several representations were submitted, his appeal was kept in cold storage. Subsequently, without conducting any enquiry or without examining any witnesses and without marking any documents, the appeal filed by him was rejected by the 2nd respondent on 18.01.2024 in a mechanical manner in violation of principles of natural justice. In such a scenario, he was



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forced to file a review petition before the 3rd respondent on 29.01.2024, but till date, no orders have been passed.

d) Hence, the present writ petition seeking quashment of termination order dated 15.11.2022 issued by the 1st respondent as well as the rejection proceedings dated 18.01.2024 passed by the 2nd respondent besides a consequential direction to the 3rd respondent to consider and pass orders on the petitioner's review petition dated 29.01.2024, within a time frame.

3. Learned counsel for the petitioner would submit that without considering the explanations submitted by the petitioner, initially, the termination order was issued by the 1st respondent. Further, he submits that in a mechanical manner, without considering the grievances of the petitioner, the appeal filed by the petitioner was rejected by the 2nd respondent, vide proceedings dated 18.01.2024. Therefore, he submitted that the termination order and the order rejecting the appeal passed by the 1st and 2nd respondents respectively are illegal and unsustainable and the same have to be quashed.



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4. He further submitted that the petitioner has already filed a review petition before the 3rd respondent and also made a representation seeking revocation of the termination order. However, the same has not been disposed of, till date. Hence, he prays that this Court may direct the 3rd respondent to consider and dispose of the petitioner's review petition and subsequent representation of the petitioner dated 10.07.2025, within a stipulated period. He also prayed that the respondents may be directed to pay subsistence allowance to the petitioner, pending disposal of the review petition.

5. Learned Standing Counsel appearing for the respondents would submit that at the time of inspection, certain irregularities were found and for which, the petitioner was held responsible. Thereafter, disciplinary proceedings were initiated and the termination order dated 15.11.2022 was issued by the 1st respondent. Further, he argued that the 2nd respondent has rejected the appeal filed by the petitioner only on merits and therefore, interference by this Court in the aforesaid order / proceedings dated 15.11.2022 and 18.01.2024 passed by the respondents 1 and 2 respectively is unwarranted. However, he fairly



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submitted that the review petition pending before the 3rd respondent and the subsequent representation submitted by the petitioner on 10.07.2025, will be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. Considering the rival submissions and the facts and circumstances of the case, this Court, without going into the merits of the case, issues the following directions :-

i) The 3rd respondent shall consider and pass orders on the petitioner's review petition dated 29.01.2024 on its own merits and in accordance with law

ii) Respondents 1 and 2 shall consider the petitioner's representation dated 10.07.2025 and pass orders on merits and in accordance with law and pay subsistence allowance to the petitioner as per his entitlement.

iii) The aforesaid exercise shall be completed, within a



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period of six weeks from the date of receipt of a copy of this

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8. The writ petition stands disposed of with the aforesaid directions. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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