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W.P.No.42148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.42148 of 2025
and
W.M.P.No.47204 of 2025

1. S.Sivadoss
2. V.Vijayakumar
3. V.Radhakrishnan

... Petitioners

Vs

Tamil Nadu State Marketing Corporation,
Rep,by its District Manager cum Deputy Collector,
Thirupuvanam, Nagapattinam – 612 103.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned proceeding bearing Na.Ka.No.286/2017/A6 dated 25.08.2025 issued by the respondent and quash the same.

For Petitioners : Mr.K.M.Ramesh,
Senior Counsel
for Mr.V.Subramani

For Respondent : Mr.C.Ramesh,
Standing Counsel
ORDER



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This writ petition has been filed challenging the order dated 25.08.2025 passed by the respondent, thereby directing the petitioner to remit a sum of Rs.15,75,076/- as damages/costs to the TASMAC Wine Shop.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioners, while working in the TASMAC Wine Shop in the year 2016, there was large-scale agitation by general public against liquor sale in Nagapattinam District. The TASMAC Wine Shop was looted and put on fire. Therefore, a criminal case has been registered in Crime No.148 of 2016 for the offences punishable under Sections 120-B, 381, 436 and 201 of IPC. The petitioners were accused. After filing of the final report, it has been culminated into criminal trial in S.C.No.28 of 2018 on the file of the Principal District Court, Nagapattinam. After full-fledged trial, the Trial Court acquitted the petitioners on the ground that the prosecution failed to prove the charges against the petitioners. Thereafter, without conducting any



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enquiry and without any notice to the petitioners, passed an order of recovery of a sum of Rs.15,75,076/- as damages/costs to the TASMAL Wine Shop.No.5737.

4. On perusal of the order dated 25.08.2025, it was found that no enquiry was conducted and no opportunity was given to the petitioner before passing the order of recovery. In fact, after acquittal of the petitioners from the criminal case by the judgement dated 09.12.2021, the petitioners were re-instated into service. After having been kept quiet for four years from the date of their reinstatement, all of a sudden in the year 2025, they were issued an order to pay a sum of Rs.15,75,076/-.

5. Admittedly, no enquiry and no opportunity were given to the petitioners before passing the order. It is clear violation of principles of natural justice and as such, the impugned order cannot be sustained and it is liable to be quashed.

6. In view of the above, the impugned order dated 25.08.2025 is hereby quashed. The respondent is at liberty to conduct an enquiry after



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issuance of notice to the petitioners and giving them a personal opportunity of hearing, to pass orders on merits and in accordance with law.

7. In the result, this Writ Petition is allowed as indicated above.

Consequently, the connected Miscellaneous Petition is closed. No costs.

11.11.2025

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Index: Yes/No

Neutral Citation: Yes/No

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To

Tamil Nadu State Marketing Corporation,
Rep, by its District Manager cum Deputy Collector,
Thirupuvanam, Nagapattinam – 612 103.



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G.K.ILANTHIRAIYAN, J.

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