



WEB COPY



W.P.No.48905 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.48905 of 2025
and W.M.P.Nos.54619 & 54620 of 2025

K.Mathesu

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
CMDA Towers-Ii,
4th Floor,
Egmore,
Chennai – 18.

2.The Senior Regional manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
No.55, Brindavan Road,
Fairlands,
Salem District – 16.

3.The District Manager,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),
2/92, Sandhiyur Village,
S.Attaiyampatti Post,
Salem Taluk and District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue
a Writ of Certiorarified Mandamus calling for the records pertains to the



W.P.No.48905 of 2025

third respondent proceedings bearing Na.Ka.No.04/2022/A-4/CV dated 30.10.2025 and to quash the same as illegal consequently, directing the respondents to reinstate the petitioner with Monetary Benefits with the reasonable interest in the dictum decision held by the Hon'ble Apex Court in case of Ajay Kumar Choudhry Vs., Union of India 2015 (7) SCC 291 and the instruction given G.O.(Ms.) No.81 dated 04.08.2022 of the Human Resources Management (N) Department.

For Petitioner : Dr.Ramesh Mahadev

For respondents : Mr.M.Sekar,
Standing Counsel

ORDER

This writ petition is filed to call for the records pertains to the third respondent proceedings bearing Na.Ka.No.04/2022/A-4/CV dated 30.10.2025 and to quash the same as illegal consequently, directing the respondents to reinstate the petitioner with Monetary Benefits with the reasonable interest in the dictum decision held by the Hon'ble Apex Court in case of Ajay Kumar Choudhry Vs., Union of India 2015 (7) SCC 291 and the instruction given G.O.(Ms.) No.81 dated 04.08.2022 of the Human Resources Management (N) Department.



W.P.No.48905 of 2025

WEB COPY

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

3. Learned counsel for the petitioner would submit that the petitioner was working as a Sales Man in the TASMAC, Kannamutchi, Salem District. This being the case, the petitioner was placed under suspension by the third respondent vide order dated 27.10.2022, alleging that the petitioner has transported the Liquor Bottles illegally. Thereafter, the third respondent appointed an enquiry officer and the petitioner has also submitted his explanation and requested the third respondent to reinstate him. Thereafter the enquiry officer conducted a departmental proceeding and filed his report stating that the charges against the petitioner were not proved. Since then, the respondent has not passed any final order. Hence, the petitioner has filed writ petition before this Court in W.P.No.29182 of 2025, seeking reinstatement. This Court by its order dated 06.08.2025, directed the respondents to pass final orders in the departmental proceedings. Accordingly, the third respondent issued a proceedings bearing Na.Ka.No.04/2022/A4/CV dated 30.10.2025, rejecting the petitioner's claim



W.P.No.48905 of 2025

for reinstatement stating that there is a criminal case pending against him.

Challenging the same, the petitioner has come forward with the present writ petition.

4. Learned Standing Counsel appearing for the respondents would submit that the suspension order may be revoked, in the event this Court issues direction to the respondents, since the enquiry officer held that the charges against the petitioner were not proved.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the above facts and circumstances of the case, this Court issues direction to the respondents to revoke the suspension order and reinstate the petitioner, since the charges against the petitioner were not proved in the departmental proceedings. However, it is made clear that the revoking of suspension order is subject to the result of the criminal case against the petitioner, pending before the Criminal Court.



W.P.No.48905 of 2025

WEB COPY

With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

19.12.2025

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Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

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WEB COPY



W.P.No.48905 of 2025

M.DHANDAPANI, J.

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W.P.No.48905 of 2025

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