

W.P.(MD)No.5182 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.5182 of 2025

and

W.M.P(MD)No.3786 of 2025

K.Sakthivel

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
Chennai.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
No.305-A, Vilankurichi Road,
Peelamedu Railway Junction Backside,
Chinthamani Co operative Society Depot,
Peelamedu, Coimbatore.

3.The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Karur,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for entire records pertains to the impugned order passed by the third respondent dated 20.09.2024 made in Na.Ka.C.V.2/615/2023, quash the same and consequently direct them to reinstate the petitioner in employment with all departmental benefits.



WEB COPY

W.P.(MD)No.5182 of 2024



For Petitioner : Mr.R.Anand
For Mr.A.Gouthaman

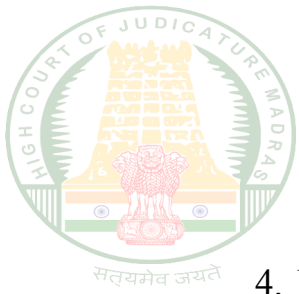
For Respondent : Mr.H.Arumugam
Standing Counsel

ORDER

This writ petition has been filed against the order, dated 20.09.2024 passed by the third respondent, wherein, the petitioner was removed from service from the post of salesman in the respondent corporation.

2. Heard the learned counsel for the petitioner, the learned Standing Counsel for the respondents and perused the materials available on record.

3. Though the learned counsel for the petitioner advanced his arguments raising several grounds against the order impugned in this writ petition, but in view of the fact that considering the contention of the learned Standing Counsel for the respondents that the petitioner has availed remedy of appeal against the impugned order by filing appeal before the Senior Regional Manager, Coimbatore, wherein, notices were issued to both parties and appeal is pending for consideration, in our considered view, as and when the petitioner availing a remedy of appeal against the impugned order, challenging the same by filing this writ petition is contrary to the settled proposition of law.



W.P.(MD)No.5182 of 2---

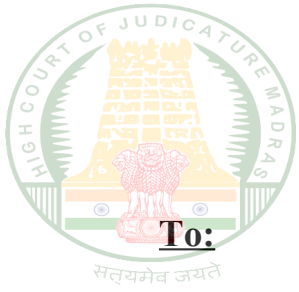
WEB COPY

4. It appears that the appeal is filed on 14.10.2024. It is the duty of the appellate authority to dispose of the appeal in accordance with law within a reasonable period i.e., not more than three months. In the present case, already four months lapsed from the date of filing of the appeal.

5. Accordingly, the writ petition is disposed of¹ with a direction to the second respondent, who is the appellate authority to dispose of the appeal by following due process of law within a period of 3 weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

27.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



W.P.(MD)No.5182 of 2---

To:

- 1.The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
Chennai.
- 2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Limited,
No.305-A, Vilankurichi Road,
Peelamedu Railway Junction Backside,
Chinthamani Co operative Society Depot,
Peelamedu, Coimbatore.
- 3.The District Manager,
Tamil Nadu State Marketing Corporation,
(TASMAC), Karur,
Karur District.



WEB COPY



W.P.(MD)No.5182 of 2---

BATTU DEVANAND, J.

Sn

W.P.(MD)No.5182 of 2025

27.02.2025