



WP(MD). No.21550 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**WP (MD). No.21550 of 2025 and
WMP(MD) Nos.16650 and 16651 of 2025**

K.Senthil Kumar

... Petitioner

Vs

Tamil Nadu Civil Supplies Corporation,
Rep. by its Zonal Manager
Ramanathapuram Zone,
Ramanathapuram..

... Respondent

PRAYER :-Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent vide Na.Ka.No. P3/5238/2022 dated 22.04.2025 and quash the same and further direct the respondent to conduct the enquiry in a fair and proper manner after giving due opportunity to the petitioner herein.

For Petitioner : Mr.S.Arivazhagan
For Respondent : Mr.G.Mohankumar



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ORDER

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

2. This writ petition has been filed challenging the impugned order dated 22.04.2025 vide Na.Ka.No. P3/5238/2022 dated 22.04.2025 and to direct the respondent to conduct the enquiry in a fair and proper manner after giving due opportunity to the petitioner.

3. The grievance of the petitioner is that he is working in the respondent Corporation as Bill Clerk and he was posted as Superintendent in Ramanathapuram Zone and subsequently transferred to Thiruvavarur Zonal Office. While so, he was issued with the impugned order through which a sum of Rs.1,29,866/- was sought to be recovered from him. Challenging the same, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner, who would submit that before issuing the impugned order, the petitioner has not been issued



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with any notice calling for an explanation from him. Without issuing any notice, the impugned order has been passed, which is in clear violation of principles of natural justice. On the sole ground, the learned counsel prays for interference.

5. The learned counsel for the respondent, would however refute the contentions of the petitioner on the ground that before issuing the impugned order of recovery, a show cause notice has been issued to him, however, the petitioner has refused to receive the same and hence, it cannot be stated that no opportunity whatsoever has been provided to the petitioner. Apart from that, he would submit that since the petitioner was responsible for the loss caused to the tune of Rs.1,29,866/- due to paddy procurement under KMS-2021-22, liability was fixed on the petitioner. On these grounds, he prays for dismissal of the writ petition.

6. I have considered the rival submissions and perused the materials available on record.



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7. Considering the submission that as per reference (2) cited in the impugned order, a show cause notice was stated to have been issued and the petitioner has refused to receive the same, which was refuted by the petitioner, the writ petition is allowed and the following order is passed:

The impugned order dated 22.04.2025 is set aside and the matter is remanded back to the respondent for fresh consideration and the respondent is directed to provide adequate opportunity to the petitioner and thereafter pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently connected Miscellaneous Petitions are closed.

11.08.2025

NCC : Yes/No

Index : Yes/No

RR

TO

Zonal Manager

Tamil Nadu Civil Supplies Corporation,

Ramanathapuram Zone,

Ramanathapuram..



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M.DHANDAPANI,J

RR

**ORDER
IN
WP(MD) No.21550 of 2025**

Date : 11/08/2025