

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 17767 of 2026
AND
WMP Nos.19098 and 19100 OF 2026**

Shankar
S/o Namachivayam,
4/698, Teachers Colony,
1st Avenue, Poonga Nagar,
Thiruvallur District

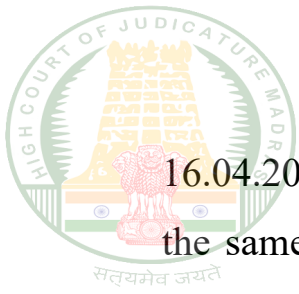
..Petitioner(s)

Vs

1. The Senior Regional Manager
Tamil Nadu State Marketing Corporation Ltd
(TASMAC)
Chennai 600 002
2. The District Manager
Tamil Nadu State Marketing Corporation Ltd
(TASMAC)
Thiruvallur (West)
Thiruvallur District

..Respondent(s)

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for the records of the respondents in connection with the impugned orders issued by the 2nd respondent in Se. Mu. Ka.No A1/ 75/ 2023 dated



16.04.2023 and Se. Mu. Ka.No A1/ 75/ 2023 dated 14.02.2025 and quash the same and further direct the 2nd respondent to reinstate the petitioner into service with all consequential service and monetary benefits.

For Petitioner(s): Mr.R.Ravindhar
forM/s Dhineshkumar Associates

For Respondent(s): Mr.K.Balakrishnan,
Standing Counsel for R1and R2

ORDER

This writ petition has been filed seeking the issuance of a writ of Certiorarified Mandamus to call for the records of the respondents in connection with the impugned orders issued by the 2ndrespondent in Se. Mu. Ka.No A1/ 75/ 2023 dated 16.04.2023 and Se. Mu. Ka.No A1/ 75/ 2023 dated 14.02.2025 and quash the same and further direct the 2nd respondent to reinstate the petitioner into service with all consequential service and monetary benefits.

2. The petitioner would submit that he was appointed as a Salesman in TASMACH through the Employment Exchange in the year 2003 and has



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been serving in various shops without any adverse remarks. While working as a driver to the District Manager, Thiruvallur, on 03.03.2023, the petitioner, acting on the instructions of the District Manager, received a sum of Rs.1,00,000/- from one Mr.Dhanu. Immediately thereafter, the money was recovered by the Vigilance and Anti-Corruption Department. According to the petitioner, the complaint was filed only against the District Manager and no specific allegation was made against him, nor was his name included in the FIR. Nevertheless, the petitioner was arrested and remanded to judicial custody. The petitioner would further submit that based on the illegal arrest by the police, an order of termination dated 10.03.2023 was passed without the issuance of any charge memo, show cause notice or departmental enquiry. Challenging the same, the petitioner had filed a writ petition and this Court, by order dated 21.12.2023, set aside the termination order on the ground of violation of the principles of natural justice. Thereafter, the second respondent had issued a fresh suspension order dated 16.04.2024. The petitioner again approached this Court in W.P.No.13539 of 2024 and, by order dated 22.10.2024, this Court directed the petitioner to submit a representation seeking review of the suspension and further directed the respondents to consider the same in accordance with law. Pursuant to the direction of this Court, the petitioner



made a representation for reinstatement. However, the request was rejected by proceedings dated 14.02.2025 on the ground of pendency of the criminal case. Aggrieved by the rejection order, the petitioner filed W.P.No.9540 of 2025, which was disposed of on 24.03.2025 with a direction to the respondents to periodically examine the necessity of continuing the suspension. Despite the said direction, no reasoned order has been passed and subsistence allowance has not been paid. It is further stated that the main accused has since been reinstated into service. Challenging the proceedings dated 14.02.2025 and seeking reinstatement with consequential benefits, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for respondents.

4. A perusal of the records would show that, for the very same relief, the petitioner had filed W.P.No.9540 of 2025. The prayer in the said writ petition is as follows:



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“Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondents in connection with the impugned orders issued by the 2nd respondent in Se.Mu.Ka.No.A1/75/2023 dated 14.02.2025 and to quash the same and further direct the 2nd respondent to reinstate the petitioner into service with all consequential service and monetary benefits”

The said writ petition was disposed of by order dated 24.03.2025 wherein the learned Judge has observed as follows in paragraph No.7

“In view of the above observations, I am not prepared to revoke the order of suspension. The only direction, which could be given to the respondents to re-examine the entire issue once every three months and examine the necessity to keep the petitioner under suspension. That would be a policy decision to be taken by the respondents alone. Accordingly, this Writ Petition stands dismissed. No cost. Consequently, connected Writ Miscellaneous Petitions are closed.”



This present writ petition is filed for the following relief

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“It is therefore prayed that this Hon’ble Court may be pleased to issue a writ of Certiorarified Mandamus or any other writ or direction in the nature of writ, call for the records of the respondents in connection with the impugned orders issued by the 2nd respondent in Se.Mu.ka.No.A1/75/2023 dated 16.04.2023 and Se.Mu.ka.No.A1/75/2023 dated 14.02.2025 and quash the same and further direct the 2nd respondent to reinstate the petitioner into service with all consequential service and monetary benefits and grant such other further relief as this Hon’ble court may deem fit and proper in the circumstances of the case and thus render justice.”

5. A reading of the reliefs claimed in the earlier writ petition and the present writ petition would clearly show that it is the very same relief that is once again claimed. Though the learned counsel for the petitioner would argue that the present writ petition has been filed on account of subsequent developments, a mere perusal of the affidavit filed in support of the present writ petition indicates otherwise. In the affidavit filed, the



ground raised is that, after the order passed in the earlier writ petition, the respondents have not passed a reasoned order. A perusal of the earlier order of this Court nowhere indicates that the respondents should pass a reasoned order. The only direction that was given was that the respondents should re-examine the issue once in three months and examine the necessity of continuing the suspension. Therefore, taking into consideration the earlier orders of this Court, the present writ petition is also dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

02-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRN

To

1. The Senior Regional Manager
Tamil Nadu State Marketing
Corporation Ltd (TASMAC)
Chennai 600 002
2. The District Manager
Tamil Nadu State Marketing
Corporation Ltd (TASMAC)
Thiruvallur (West), Thiruvallur District



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WP No. 17767 of 2



P.T.ASHA J.

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