



W.P.(MD) No.14767 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.14767 of 2026

and

W.M.P.(MD) Nos.11122 & 11123 of 2026

Kumaresan

... Petitioner

-VS-

- 1.The Managing Director
Tamilnadu State Marketing
Corporation Limited
TASMAC, CMDA Building
Egmore, Chennai-600 018
- 2.The Senior Regional Manager
The Senior Regional Manager Office
Plot No.100, Anna Nagar, Madurai
- 3.The District Manager
Tamilnadu State Marketing
Corporation (TASMAC)
Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned order of suspension issued by the third respondent vide his proceedings in Na.Ka.No.000032/2026/A-2, dated 14.05.2026 and quash the



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same as illegal and consequently direct the third respondent herein to reinstate the petitioner with all monetary benefits.

For Petitioner : Mr.T.Manikandan

For Respondents : Mr.H.Arumugam
Standing Counsel

ORDER

This writ petition has been filed challenging the proceedings bearing Na.Ka.No.000032/2026/A-2, dated 14.05.2026, whereby the petitioner herein was placed under suspension, on the ground that he has been selling the liquor at higher price than the maximum retail price, pending enquiry and framing of charges against him.

2. A perusal of the impugned proceeding discloses that the same was issued while contemplating to frame charges and to conduct an enquiry into the charges.

3. Learned counsel for the petitioner assailed the impugned proceedings mainly on the ground that the impugned suspension was inflicted on the petitioner as a measure of punishment and the suspension, as a



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measure of punishment, is one of the punishments earmarked under the relevant Rules as a minor penalty. Therefore, the respondents are under the obligation to afford an opportunity to the petitioner before placing him under suspension. In support of the said contention, learned counsel for the petitioner has also placed reliance on various orders passed by the Coordinate Benches of this Court.

4. This Court, after carefully considering the submissions of the learned counsel for the petitioner and after perusing the impugned proceedings, is of the view that various orders relied on by the learned counsel for the petitioner are all the cases, where the orders of suspension were issued as a measure of punishment without affording an opportunity to the delinquent and without conducting any enquiry. Therefore, the suspension orders therein were found fault by this Court. But, the case on hand is totally different. In the present case, the petitioner was placed under suspension pending enquiry and framing of charges against him. The impugned proceeding has been issued only as a preliminary measure to prevent the petitioner from meddling with the proposed enquiry and framing of charges. Therefore, the cases relied upon by the learned counsel for the petitioner have no application to the case on hand. It is not in dispute that the impugned



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suspension order has been passed by the competent authority and admittedly there is a substantial allegation against the petitioner, which may require a detailed enquiry and the same is also contemplated by the respondents under the impugned proceedings. In the absence of any sustainable ground to interfere with the impugned suspension order, this Court does not find any reason to interfere with the same.

5. Accordingly, this writ petition is dismissed. However, the respondents shall pay the admissible subsistence allowance payable to the petitioner as per the relevant Rules and also review the orders of suspension on expiry of three months in terms of the guidelines laid down by the Government under G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022. The disciplinary proceedings that are contemplated through the impugned proceedings, if any, shall be concluded as expeditiously as possible, at any rate, within a period of four months from today. No costs. Consequently, connected miscellaneous petitions are closed.

04.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

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