



W.A.(MD)No.3193 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.A.(MD)No.3193 of 2025
and
C.M.P.(MD)No.19611 of 2025

Sekar

... Appellant

Vs.

1.The Managing Director,
Tamilnadu State Marketing Corporation Ltd.,
4th Floor, CMDA Building Tower II,
Ganthi Irwin Bride Road,
Egmore, Chennai-600 008.

2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Ltd.,
No.100, Anna Nagar,
Madurai-20.

3.The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
TASMAC,
Ramanathapuram District.

... Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to
set aside the order passed in W.P.(MD)No.23953 of 2025 dated
03.11.2025.



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For Petitioner : Mr.S.Gokulraj
For Respondents : Mr.S.Sivanesan

JUDGMENT

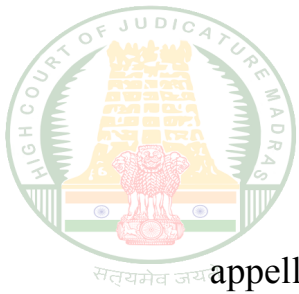
(Judgment of the Court was delivered by **DR.G.JAYACHANDRAN, J.**)

Suspension order passed by the District Magistrate, Tamil Nadu State Marketing Corporation Ltd./ R3 is challenged by a batch of salesmen of TASMAC shop in W.P.(MD)Nos.23953 of 2025 & etc., batch.

2.The learned Single Judge, while considering the challenge to the suspension order, has made certain observations and dismissed the writ petitions.

3.Being aggrieved, the writ petitioner in W.P.(MD)No.23953 of 2025 is before this Court by the present intra-court appeal.

4.The learned counsel for the appellant submitted that on the date of inspection, the appellant was not even on duty and it is borne by the attendance records maintained by the third respondent that the



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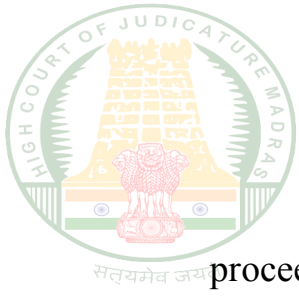
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appellant was on leave on the said date. However, presuming and assuming collective responsibility of the salesmen, suspension order was passed without application of mind as against the appellant herein, and hence, the same was challenged. However, the learned single Judge had gone into the merits of the case and made certain observations regarding culpability of the appellant herein and dismissed the writ petition. Hence, the appellant has filed the present appeal.

5.This Court on perusing the records finds that the suspension order pending enquiry, need not be interfered, unless and until it is apparently *mala fide* exercise of power. In this case, we do not find any such apparent mala fide intention. At the same time, we also concern about certain observations made by the learned Single Judge regarding the merits of the order, which may cause prejudice to the appellant.

6.The learned counsel appearing for the third respondent submits that departmental enquiry is to be commenced in a short time.

7.Taking note of the above submissions, this writ appeal stands disposed of directing the third respondent to complete the enquiry



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proceedings within a period of six (6) months from the date of receipt of a copy of this order. It is made clear that if the appellant is entitled for any subsistence allowance during the pendency of the suspension period, he can seek for remedy through proper representation. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
10.12.2025

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AND
K.K. RAMAKRISHNAN, J.

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