



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.03.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P (MD) No. 6018 of 2020**

**and**

**WMP (MD) No. 5196 / 2020**

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1.P.Muthu Selvan  
2.P.Bagavathiappan  
3.S.Ashok Kummar  
4.B.Ramesh  
5.K.Nalayiram  
6.S.Murugan  
7.A.Akilandaraj

... Petitioners

Vs.

The District Manager,  
Tamil Nadu State Marketing Corporation Limited (TASMAC)  
Tirunelveli.

... Respondent

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records of the respondent herein relating to impugned orders Na.Ka.No.R1/516/2019 dated 05.03.2020 issued to the petitioners individually and quash the respective order to respective petitioners herein.

For Petitioners : Mr.S.Muthalraj

For Respondent : Mr.B.Jameel Arasu

**O R D E R**

This writ petition has been filed, seeking to quash the impugned order of the respondent dated 05.03.2020 made in Na.Ka.No.R1/516/2019.

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

3.The petitioners are working as Sales Man of TASMAC retail Liquor Sales Depot at shops in Tirunelveli District. Without following the circulars of TASMAC Head Quarters, a squad team went to the shops for inspection. After inspection, the squad team made allegations against the petitioners. The

<https://hccsecrecy.com/hccsecrecy.com> the liquor bottles in excess of Rs.10/- for which



the petitioners are issued show cause notice, for which the petitioners made explanation, however, without considering the explanation in a proper respective manner, imposed a penalty of Rs.10,000/- along with Rs.1800/- as GST in the impugned order, dated 05.03.2020. Hence the present writ petition is filed.

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4.The learned Counsel appearing for the petitioners would submit that the petitioners were imposed a penalty of huge amount, however the petitioners are ready to deposit some amount and the respondent may be directed to conduct an fresh enquiry in accordance with law and pass fresh orders.

5.The learned Counsel for the respondent would submit that the after considering the objection made by the petitioners only the impugned order was passed.

6. In view of the above said submissions, the petitioners are directed to pay the amount of Rs.7,000/- within a period of two weeks from the date of receipt of this order. On such deposit, the respondent is directed to give one more opportunity to the petitioners to give explanation for the show cause notice and thereafter to pass orders in accordance with law.

7.With the above observation, the writ petition is disposed of. No costs. Consequently compected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rm

To:

The District Manager,  
Tamil Nadu State Marketing Corporation Limited (TASMAC)  
Tirunelveli.

**W.P(MD)No.6018 of 2020**

24.03.2020

CV/(15.05.2020) 2P 3C

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