



W.P.(MD) No.12161 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)No.12161 of 2023
and W.M.P.(MD)Nos.10403 & 10407 of 2023

B.Manikandan

... Petitioner

-VS-

- 1.The Joint Registrar of Co-operative Society,
Kanyakumari Region,
Collectorate Campus,
Nagercoil, Kanyakumari District.
- 2.The Deputy Registrar of Co-operative Society,
O/o. The Deputy Registrar of Co-operative Society,
Collectorate Campus,
Nagercoil, Kanyakumari District.
- 3.The President / Vice – President,
Y 296 Ootutuvalmadam Primary Agricultural
Co-operative Credit Society,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned order passed by the 2nd respondent in Na.Ka.No.4467/2022 Tho.ve.sa dated 05.05.2023 and quash the same as illegal.



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For Petitioner : Ms.R.Jeya Revathy

For Respondents : Mr.M.Siddharthan,
Addl. Government Pleader for R1 to R5

ORDER

The order impugned in the present Writ Petition is an inter-department communication between the Deputy Registrar of the Co-operative Societies and the President of the Society.

2. Even though the order states that the petitioner should be removed from service, the cause of action for the petitioner to challenge the order would arise only when it culminates into an order of punishment removing him from the service.

3. It is needless to point out that if the President of the Society intends to take any departmental action against the petitioner, he would be entitled for prior notice and an enquiry has to be conducted as per the provisions of the Tamil Nadu Co-operative Societies Act, 1983.



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4. In this background, I am of the view that the present Writ Petition is premature. Accordingly, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

25.05.2023

NCC : Yes/No

Index : Yes/No

vsm

Note: Issue order copy on 26.05.2023

To:

- 1.The Joint Registrar of Co-operative Society,
Kanyakumari Region,
Collectorate Campus,
Nagercoil, Kanyakumari District.
- 2.The Deputy Registrar of Co-operative Society,
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M.S.RAMESH, J.

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