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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.4666 of 2026 and
WMP(MD) Nos.3899 & 3900 of 2026

R.Jegan Kumar ... Petitioner

Vs

1.The Regional Joint Registrar of Co-Operative Societies,
Kanyakumari Region,
2nd Floor,
Collector Office New Building,
Nagercoil -1,
Kanyakumari District.

2.The Deputy Registrar of Co-operative Societies,
Thuckalay Circle,
Palace Road,
Thuckalay and Post,
Kanyakumari District - 629 175.

3.Y-126 Aruvikarai Primary Agricultural Cooperative Credit Society,
Rep by Administrator,
Aruvikarai Post,
Kanyakumari -629 177. ...Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to impugned entry of reversion, refixation and recovery of salary made by the 3rd respondent in page No.5 and 6 of my additional service register and quash the same as illegal and further directing the 3rd respondent to refund the amount of Rs. 2, 22,220/- collected from the petitioner as excess salary vide Chelan No. 27 dated 15.12.2025.

For Petitioner : Mr.V.H.S.Prathap,
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

O R D E R

The petitioner was appointed as a helper in a Fair Price Shop of Y-126 Aruvikarai Primary Agricultural Co-operative Credit Society, Aruvikarai, Kanyakumari/the third respondent herein. He was elevated to the rank of Salesman in the time scale of pay. Thereafter, he was elevated to Fertilizer Salesman and promoted as a Clerk. After 28 years of service, the third respondent has made an entry in the Additional Service Register of the petitioner, demoting him to the rank of Fertilizer Salesman and refixed his salary from

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Rs.52,497/- to Rs.23,263/- and also ordered for recovery of a sum of Rs.2,22,220/-as excess salary received by him in the post of Clerk. According to the petitioner, the impugned entry has been made by the respondents, without issuing any notice to him. Moreover, no enquiry has been conducted in this regard and even a copy of the entry so made by the respondent has not been served on the petitioner. According to this petitioner, no resolution was passed in the minute to that effect. Therefore, the act of the Administrator is without jurisdiction and in violation of the principles of natural justice. The entry of reversion, refixation and recovery of salary made by the third respondent in the Service Register of this petitioner is under challenge in this writ petition.

2.Mr.C.Venkatesh Kumar, learned Special Government Pleader takes notice for the respondents and submits that this petitioner's appointment was an irregular one by the the then Board and therefore, this petitioner has given an undertaking, based on which he was demoted and his salary has also been revised.

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3.This Court considered the rival submissions made and also perused the materials placed on record.

4. The petitioner was engaged as a helper in a Fair Price Shop of the third respondent. He has been elevated to the rank of Salesman on time scale of pay and thereafter as a Clerk. He was allowed to serve for a period of 28 years and after 28 years of service, it appears that the respondents have demoted him to the rank of Fertilizer Salesman and refixed his salary from Rs.52,497/- to Rs.23,263. Admittedly, without providing any opportunity to this petitioner and even without conducting enquiry, the impugned entry has been made. Therefore, on this ground, this Court is inclined to set aside the entry made by the respondents in the Service Register of the petitioner, demoting him as a Fertilizer salesman.

5.Accordingly, this writ petition is allowed. The impugned entry is hereby set aside. The respondents are directed to

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restore the petitioner's position, conduct an enquiry and thereafter pass suitable orders after providing an opportunity to him. Consequently, the amount, which has been recovered from the petitioner also needs to be restored to this petitioner’s account. No costs. Consequently, connected Miscellaneous Petitions are closed.

19.02.2026

NCC: Yes/No
Index:Yes/No
Internet:Yes
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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.4666 of 2026 and
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