

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.33365 of 2014
and
M.P.Nos.1 and 2 of 2014

V.Senkottaiyan

...Petitioner

Vs.

1. The Revisional Authority/Joint Registrar of Co-operative Societies, Salem Region, Salem - 637 001.
2. No.S.479, Devannagoundanoor, Primary Agricultural Co-operative Credit Societies Ltd., rep. By its President, Devannagoundanoor - 637 301, Sankari Taluk, Salem District.
3. P.Palaniappan

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorari, calling for the entire records relating to the impugned orders passed by the first respondent in his proceedings Na.Ka.No.5895/2014 Sa.Pa dated 10.12.2014 and quash the same as unlawful and against the Principles of Natural Justice besides "audi alteram partem".

For Petitioner : Mr.K.Premkumar

For Respondents : Ms.T.P.Savitha for R1

Mr.L.P.Shanmugasundaram,
Spl. Government Pleader for R2
Mr.M.S.Palanisamy for R3

O R D E R

The third respondent filed a Revision Petition before the first respondent, challenging the promotion given to the petitioner. The first respondent set aside the order giving promotion to the petitioner. The said order is challenged in this writ petition on the ground that without issuing notice to him, the first respondent passed the impugned order.

2. The learned Government Advocate appearing on behalf of the first respondent by producing a copy of the communication dated 02.03.2015 submitted that the first respondent proposes to recall the order for the purpose of giving opportunity to the petitioner and the third respondent and thereafter to pass fresh orders.

3. In view of the submission made on behalf of the first respondent, I am of the view that the impugned order should be quashed.

4. In the result, the impugned order dated 10.12.2014 is set aside and the matter is remitted to the first respondent for fresh consideration. The first respondent is directed to issue notice to the petitioner and third respondent and thereafter pass fresh order on merits and as per law. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. The writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

svki

To

1. The Revisional Authority/Joint Registrar of Co-operative Societies,
Salem Region, Salem - 637 001.

2. No.S.479, Devannagoundanoor,
Primary Agricultural Co-operative Credit
Societies Ltd., rep. By its President,
Devannagoundanoor - 637 301,
Sankari Taluk, Salem District.

1 CC to Mr.M.S.Palanisamy, Advocate SR.No. 12752

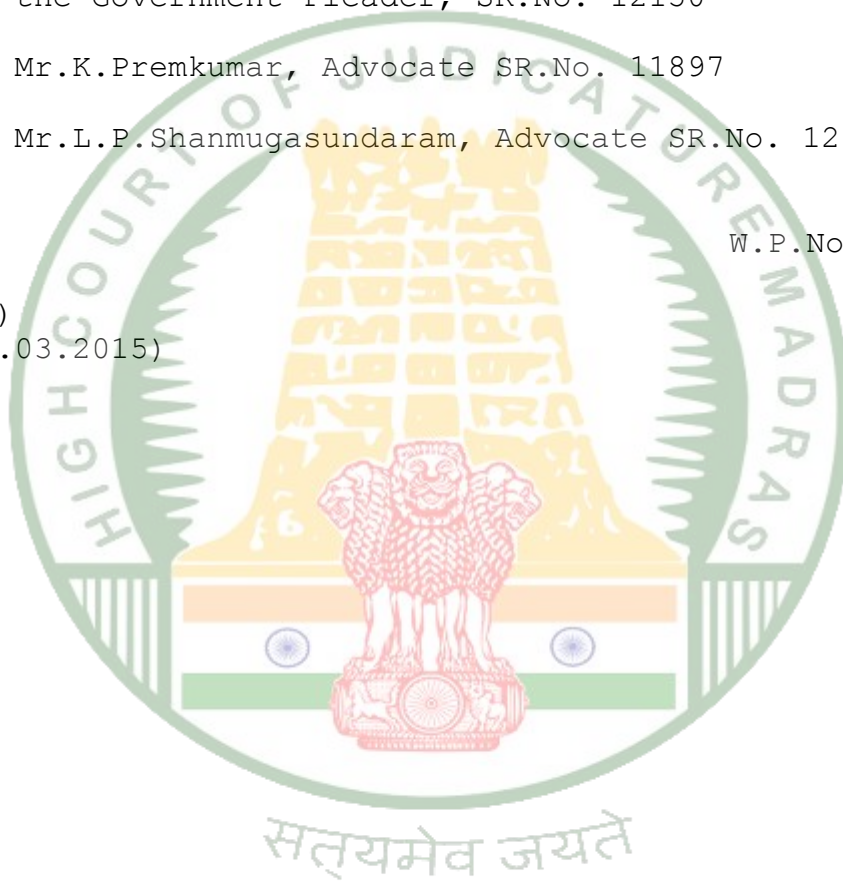
1 CC to the Government Pleader, SR.No. 12150

1 CC to Mr.K.Premkumar, Advocate SR.No. 11897

1 CC to Mr.L.P.Shanmugasundaram, Advocate SR.No. 12026

W.P.No.33365 of 2014

GGK (CO)
PSI (19.03.2015)



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