

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-08-2015

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.23640 of 2015

K. Ravi

... Petitioner

Vs

1. The Special Officer
VL-SPL-110, Pandia Nallur
Primary Co-op. Bank Ltd.
Banavaram Koottu Road
Pandianallur - Via Sholingher
Walajah Taluk
Vellore District

2. Joint Registrar
Co-operative Societies
Vellore District.

... Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records of the 2nd Respondent made in R.P No.8508 of 2014, A2 and R.C.No. 19 of 2014 dated 25.06.2015 confirming the Order dated 30.09.2010 passed by the 1st Respondent and after quashing the punishment order dated 25.06.2015 removing the petitioner from service and directing the Respondents to appoint the petitioner to the post of Salesman with effect from the date of removal in the Primary Co-operative Bank Ltd.

For petitioner : Mr.K. Ramachandran

For respondent : Mr.R. Bala Ramesh,

Additional Government Pleader

ORDER

By consent, the main writ petition is taken up for final hearing.

2. The petitioner while serving as the Salesman with the first respondent was removed from service. The petitioner challenged the same by filing W.P.No.27911 of 2010. This Court vide order, dated 26-

09-2012 dismissed the writ petition by granting liberty to file an appeal under Section 153 of the Tamil Nadu Co-operative Societies Act, within a period of 30 days from the date of receipt of a copy of the said order. However, a direction was given to the Tribunal to dispose of the appeal on merits without reference to limitation. The petitioner, accordingly filed a revision before the second respondent. The second respondent after elaborately extracting the grounds of revision has passed a non-speaking order, dated 25-06-2015. The petitioner, challenging the legality of the said order, has filed the present writ petition.

3. The learned counsel for the petitioner has invited the attention of this Court to the order, dated 25-06-2015 passed by the second respondent and submits that since the order is a non-speaking one, the same is liable to be set aside and prays for appropriate orders.

4. Heard the submissions of the learned Additional Government Pleader appearing for the respondents.

5. This Court has considered the rival submissions and also perused the impugned order passed by the second respondent. A perusal of the impugned order discloses that the grounds of revision as well as the arguments put forth were extracted and the second respondent without assigning any reason and by a cryptic and a non-speaking order, confirmed the order and therefore, the said order warrants interference.

6. In the result, the writ petition is partly allowed and the impugned order is set aside. The revision petition is remitted to the second respondent for fresh consideration and adjudication. The second respondent is directed to pass orders, on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision to the writ petitioner. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

glp

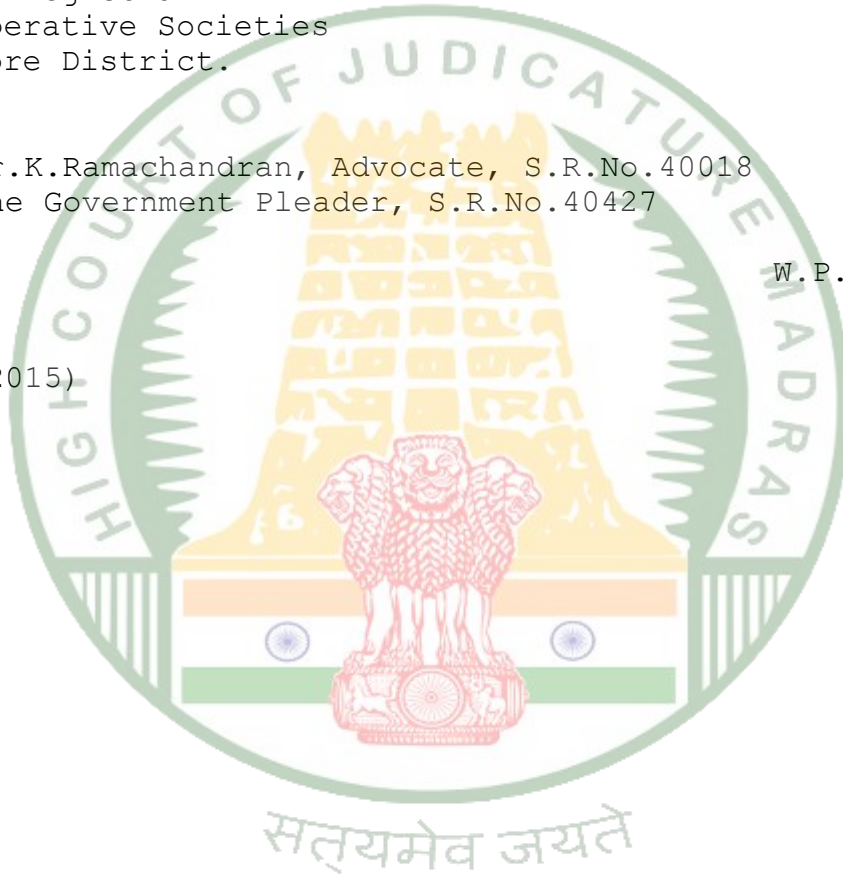
To

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+1cc to Mr.K.Ramachandran, Advocate, S.R.No.40018
+1cc to the Government Pleader, S.R.No.40427

W.P.No.23640 of 2015

KGK(CO)
CA(27/08/2015)



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