

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24465 of 2015

P.Mathiyazhagan

... Petitioner

Vs.

1 The Joint Registrar of Co-op.
Societies Cuddalore Region Cuddalore
Cuddalore District.

2 The President
E.2684 Nandheeswaramangalam Primary
Agricultural Co-op Credit
Society Vattathur
Post Kattumannarkoil Taluk Cuddalore
District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to dispose the Statuary Revision filed U/s.153 of Tamilnadu Coop. Societies Act 1983 by the petitioner on 17.06.2015 within a stipulated time as this Hon'ble Court may fix.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co-operative)

O R D E R

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

2.The petitioner would state that he was working as Attender in the services of the second respondent society and was facing enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act along with other employees. The petitioner has submitted his explanation and the Enquiry Officer without properly appreciating the materials placed before him has submitted his report to the Deputy Registrar of Co-operative Societies, Virudhachalam, based on which, the petitioner was issued with a surcharge order. Thereafter, the second respondent issued charge memo dated 31.10.2011 based on the report under Section 81 of the said Act. The petitioner was also placed under suspension

vide order dated 28.12.2011 and the disciplinary proceedings ultimately culminated in termination from service on 15.05.2015. The petitioner filed statutory revision under Section 153 of the Tamil Nadu Co-operative Societies Act before the first respondent on 17.06.2015 and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader (Co-operative) who accepts notice on behalf of the respondents.

4.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same directs the first respondent to consider and dispose of the statutory revision filed by the petitioner on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the writ petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1 The Joint Registrar of Co-op.
Societies Cuddalore Region Cuddalore
Cuddalore District.

2 The President
E.2684 Nandheeswaramangalam Primary
Agricultural Co-op Credit Society Vattathur
Post Kattumannarkoil Taluk Cuddalore
District.

+1cc to M/s. C. Prahasam, Advocate, S.R.No.41749
+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.41479

PPA(CO)
EU(25/08/2015)

W.P.No.24465 of 2015