

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28550 of 2015

and

M.P.No.1 of 2015

P.Velmurugan

.. Petitioner

- Vs -

1. The Deputy Registrar of Co-op. Societies,
Krishnagiri Circle,
Krishnagiri District.
2. The Enquiry Officer / Special Officer,
DD100, Kodamandapatty Primary Agriculture
Co-op. Credit Society,
Kodamandapatty Post,
Pochampalli Taluk, Krishnagiri District. ... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to pay the salary arrears to the petitioner from June 2002 to December 2008 with 18% interest as per law has to be paid.

For Petitioner : Mr.R.Sreedharan

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

O R D E R

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

2. The petitioner while serving as a clerk in the services of the second respondent was involved in a criminal case and based on which, departmental proceedings were initiated and he was placed under suspension on 05.01.2009 and subsequently sur-charge proceedings were also initiated under Section 87 of the Tamil Nadu Co-operative Societies Act and ultimately the departmental proceedings culminated

into dismissal from service on 07.05.2010. The petitioner would state that from June 2002 to March 2008, he has received only half of his salary and balance amount of Rs.3,10,842/- is due and payable by DD100, Kodamandapatty Primary Agriculture Co-op Credit Society and so also subsistence allowance from 05.01.2009 to 07.05.2010. The petitioner in this regard, has submitted a representation dated 06.09.2013, to the second respondent and since no orders have been passed, came forward to file this writ petition.

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

4. Though the petitioner prays for a larger relief, in the facts and circumstance of the case, without going into the merits of the representation as well as the claim raised by the petitioner in this writ petition, this Court directs the Society viz., DD100, Kodamandapatty Primary Agriculture Co-op Credit Society represented by its President, to consider and dispose of the representation of the petitioner dated 06.09.2013, on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

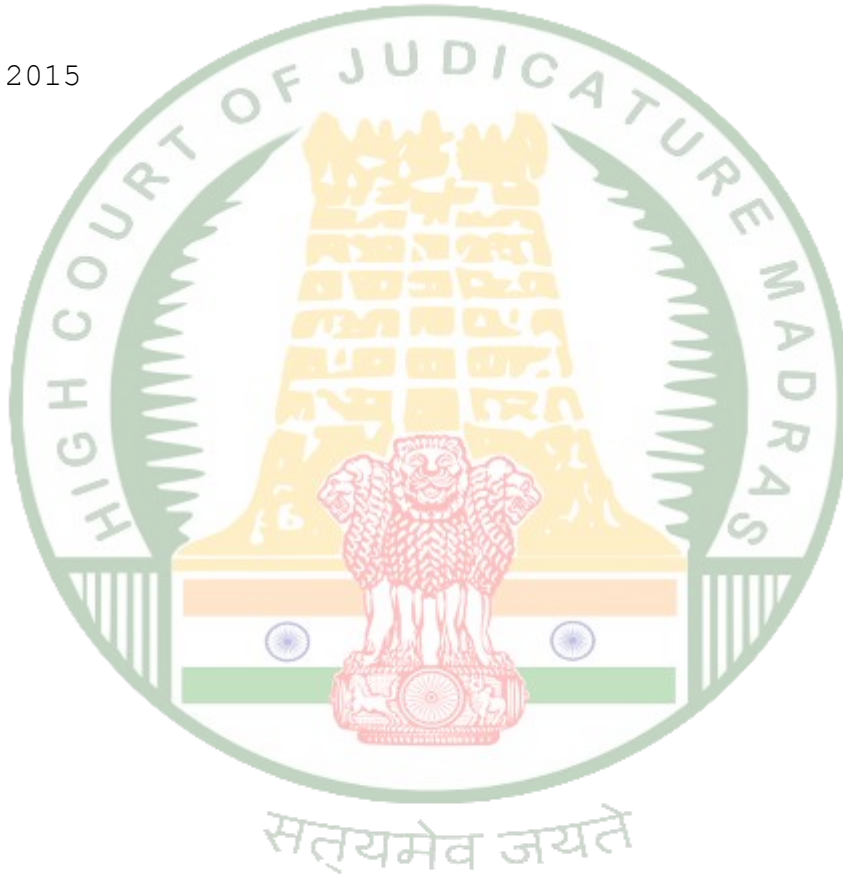
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Krishnagiri District.
2. The Enquiry Officer / Special Officer,
DD100, Kodamandapatty Primary Agriculture
Co-op. Credit Society, Kodamandapatty Post,
Pochampalli Taluk, Krishnagiri District.

3. The President,
DD100, Kodamandapatty Primary Agriculture
Co-op. Credit Society, Kodamandapatty Post,
Pochampalli Taluk, Krishnagiri District.

+1cc to Mr.R.Sreedharan, Advocate Sr.49505
+1cc to Government pleader Sr.49578
+1cc to Mr.Shanmugasundaram, Advocate Sr.49654

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srg 15.10.2015



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