

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.09.2015

Coram:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30689 of 2015

P.Madhavan

... Petitioner

vs.

1. The Regional Joint Registrar of
Co-operative Societies,
Dharmapuri Region, Dharmapuri.

2. The Joint Registrar/Managing Director,
Dharmapuri District Central
Co-operative Bank Ltd.,
Nethaji Bye-pass Road,
Dharmapuri - 636 701.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to pass orders on the representation/explanation submitted by the petitioner dated 26.06.2015 against the charge memo issued by the second respondent as per the proceedings in Na.Ka.No.014/2014/C3 dated 20.04.2015 and to conduct enquiry and to pass final orders in accordance with law based on records within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.E.M.S.Natarajan,
Govt. Advocate for R1
Mr.L.P.Shanmughasundaram,
Spl. Govt. Pleader for R2

ORDER

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

2. The petitioner, while working as Circle Supervisor, was issued with a charge memo dated 20.4.2015 by the second respondent alleging that he failed to make effective supervision, which has resulted in loss to the Dharmapuri District Central Co-operative Bank Ltd. It is the specific case of the petitioner that he has nothing to do with the alleged delinquency and the charge memo came to be

issued against him only to stall the next promotion of Assistant Manager, by inclusion of his name in the panel for promotion for the year 2014 and to expedite the same, he approached the first respondent in the form of revision under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983 and it was returned for the reason that only against an order of dismissal, the revision would lie.

3. The learned counsel for the petitioner would submit that though the petitioner prayed for a larger relief, he would be satisfied if a direction is issued to the second respondent to conclude the disciplinary proceedings/departmental enquiry initiated against him within a stipulated time and prays for appropriate orders.

4. This Court heard the submissions of the learned counsel for the petitioner and Mr.E.M.S.Natarajan, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.L.P.Shanmugasundaram, learned Special Government Pleader, who accepts notice on behalf of the second respondent.

5. 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 second respondent to conclude the departmental enquiry/disciplinary proceedings and pass final orders on merits and in accordance with law, 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.

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

msk

s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Regional Joint Registrar of
Co-operative Societies,
Dharmapuri Region, Dharmapuri.
2. The Joint Registrar/Managing Director,
Dharmapuri District Central
Co-operative Bank Ltd.,
Nethaji Bye-pass Road,
Dharmapuri - 636 701.

+ 1 cc to Mr.L.P.Shanmugasundaram, Advocate 52729

+ 1 cc to Mr.G.Sankaran, Advocate SR 53510

+ 1 cc to Govt.Pleader SR 53083

kji(co)
prk13/10

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