

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33844/2015 & MP.Nos.1 & 2/2015

J.Veeramani

..Petitioner

Vs

- 1.The Registrar
Cooperative Society
No.170, EVR High Road
Kilpakkam, Chennai 600 010.
- 2.The Joint Registrar
Cooperative Society
Villupuram Division,
Villupuram District 605 757.
- 3.The Deputy Registrar
Cooperative Society
Tirukoilur Taluk,
Villupuram District 605 757.
- 4.The Special Officer
F.T. 109, Tirukoilur &
Kallakurichi Revenue
Divisional Child Welfare
Organisers and Nutrition
Workers Cooperative Thrift &
Credit Society
Ltd., Ulundurpet, Villupuram
District 605 757.

- 5.N.Senthamizh Selvi
President
F.T. 109, Tirukoilur &
Kallakurichi Revenue
Divisional Child Welfare
Organisers and Nutrition
Workers Cooperative Thrift &
Credit Society
Ltd., Ulundurpet,
Villupuram District 605 757.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records passed by the 5th respondent herein in her proceedings [No number] dated 12/09.2015 and quash the same.

For Petitioner : Dr.S.Padma

For RR 1 to 4 : Mr.R.Bala Ramesh, AGP

ORDER

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

2 The petitioner would state that his father [Late] S.Jayabalan, has worked as Supervisor in the services of F.T. 109, Tirukoilur & Kallakurichi Revenue Divisional Child Welfare Organisers and Nutrition Workers Cooperative Thrift & Credit Society Ltd., Ulundurpet, Villupuram District and he died in harness and on the basis of the application submitted by the petitioner seeking appointment on compassionate ground, the 1st respondent vide proceedings dated 08.07.2009, has shortlisted the list of 28 applications and recommended their names for appointment and accordingly, the petitioner was given appointment in the services of the said Society. However, to the shock and surprise of the petitioner, he was placed under suspension, vide impugned order dated 12.09.2015 passed by the 5th respondent and hence, challenging the legality of the said order, the petitioner came forward to file this writ petition.

3 Learned counsel for the petitioner would submit that no tenable grounds have been put forth and prays for quashment of the said order.

4 Per contra, Mr.R.Bala Ramesh, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 4 would submit that the writ petition, per se, is not maintainable for the reason that the petitioner did not plea of any statutory violation and prays for dismissal of the writ petition.

5 This Court carefully considered the rival submissions made on either side and also perused the materials placed before it.

6 Though the petitioner has prayed for a larger relief, this Court, in the light of the above submission made by the learned Additional Government Pleader and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the 2nd respondent for revoking/reviewing the order of suspension within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 2nd respondent is directed to consider the same on merits and in accordance with law, after putting on notice the 4th respondent/Society and pass orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

7 The writ petition is disposed of accordingly. No costs. Consequently the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AP

To

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Divisional Child Welfare Organisers and Nutrition
Workers Cooperative Thrift & Credit Society
Ltd., Ulundurpet, Villupuram District 605 757.
- + 1 cc to Mrs. S. Padma, Advocate Sr.58745
+ 1 cc to Mr.Bala Ramesh, Advocate Sr.57323
+ 1 cc to Mr.the Government Pleader Sr.58179

W.P.No.33844/2015

EV(CO)
Eu 6.11.15