

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36183 of 2015
and
M.P.Nos.1 and 2 of 2015

M.K.Rajendran

..Petitioner

Vs.

1. The Deputy Milk Commissioner (Co-op)
Dairy Development Department,
Madhavaram Milk Colony,
Chennai 600 051

2. The Deputy Registrar (Dairying)
Perambalur

3. The President
(TRD) 917, Sirukudal Milk Producers
Coop.Society, Sirukudal Village,
Kunnam Taluk,
Perambalur District

.. Respondents

Prayer : The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose of the petitioner's Revision Petition and thereafter petitioner's representation dated 19.10.2015 within a reasonable time or at least three weeks so as to enable the petitioner either to get subsistence allowance and if for any reason suspension is continued and reinstatement with continuity of service with full wages for the suspension period treating it as on duty period since the entire suspension is illegal.

For Petitioner : Mr.A.L.Namasivayam

For Respondents: Mr.M.E.Raniselvam,
Additional Government Pleader

O R D E R

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

2. The Writ Petition is filed for a Writ of Mandamus, directing the first respondent to dispose of the petitioner's Revision Petition and thereafter petitioner's representation dated 19.10.2015 within a reasonable time or at least three weeks so as to enable the petitioner either to get subsistence allowance and if for any reason suspension is continued, and reinstatement with continuity of service with full wages for the suspension period treating it as on duty period since the entire suspension is illegal.

3. The case of the petitioner is that he was appointed as a Secretary on 01.12.1996 at TRD 917, Sirukudal Milk Producers Co-operative Society of Kunnam Taluk, Perambalur District. When he was working as a Secretary, he was placed under suspension on 26.09.2015 without assigning any reason. Aggrieved by the order, he preferred a revision before the first respondent under Section 153 of the Tamilnadu Co-operative Societies Act, 1983 on 03.10.2015.

4. It is alleged by the petitioner that the respondents have not paid the subsistence allowance. Hence, the present writ petition.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

6. Though the petitioner prayed for a larger relief, this court, in the light of the facts and circumstances and without going into the merits of the case, directs the first respondent to dispose of the Revision Petition dated 03.10.2015 and petitioner's representation dated 19.10.2015, and pass 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.

With the above said directions, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.
srn/ds

Sd/-
Assistant Registrar (CCC)

/True Copy/

Sub-Assistant Registrar

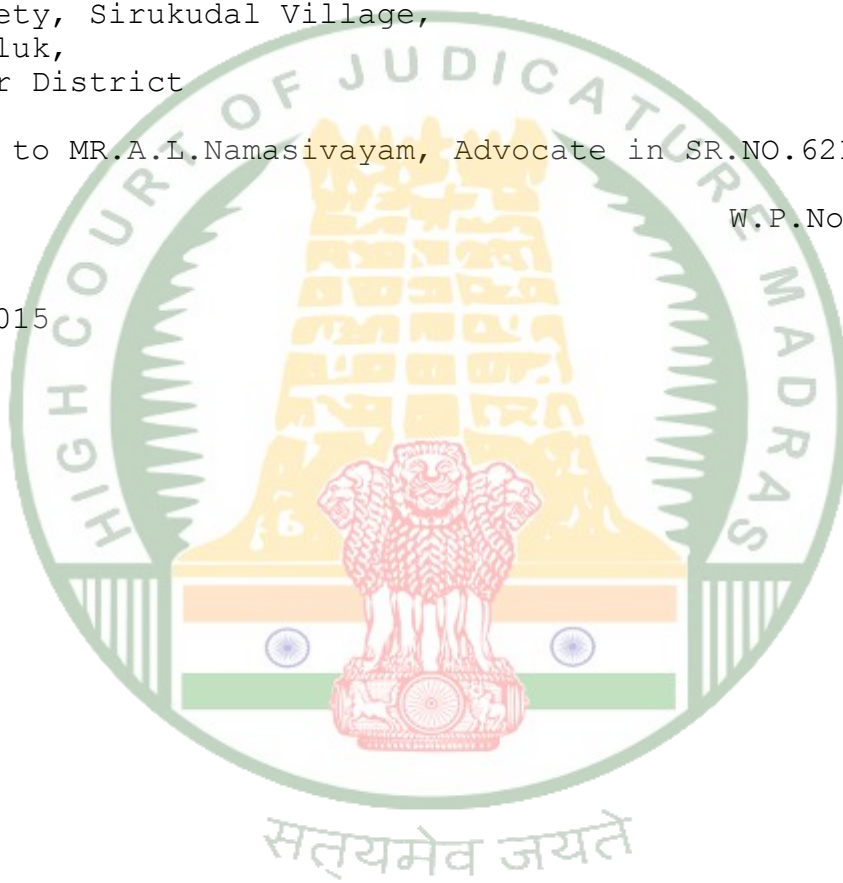
To

1. The Deputy Milk Commissioner (Co-op)
Dairy Development Department,
Madhavaram Milk Colony,
Chennai 600 051
2. The Deputy Registrar (Dairying)
Perambalur
3. The President
(TRD) 917, Sirukudal Milk Producers
Coop.Society, Sirukudal Village,
Kunnam Taluk,
Perambalur District

+2 C.Cs to MR.A.L.Namasivayam, Advocate in SR.NO.62193

W.P.No.36183 of 2015

TM(CO)
sd : 30/11/2015



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