

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37191 of 2015

A.Radhakrishnan

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
E.V.R.Road,
Kilpauk,
Chennai-600 010.
2. The Joint Registrar of Co-operative Societies/
Revisional Authority,
Cuddalore District,
Cuddalore.
3. The Deputy Registrar of Co-operative Societies,
Vridhachalam Region,
Cuddalore District.
4. The President,
I.I.590, Lakkur Primary Agricultural
Co-operative Credit Society,
Lakkur,
Thittakudi Taluk,
Cuddalore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioners representation dated 28.09.2015 and pass appropriate orders directing the 4th respondent to permit the petitioner to join service as directed in her order in Na.Ka.3484/2015Thu.Va.Thal dated 27.07.2015.

For Petitioner : Mr.P.P.Shanmugasundaram
Ms.T.P.Savitha
Government Advocate for R1 to 3

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader for R4

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. According to the petitioner, while he was working as a Secretary in the fourth respondent Society, he was suspended from service on 25.08.2014. Thereafter, a Charge Memo was issued against him on 25.09.2014. Based on the report of the enquiry officer, the petitioner was removed from service by the order of the fourth respondent dated 03.03.2015. Challenging the said order of removal, the petitioner has preferred a revision before the Second Respondent under Section 153 of the Tamil Nadu Co-operative Societies Act, 1983, which was allowed on 27.07.2015.

3. The petitioner would claim that based on the order of the second respondent dated 27.07.2015, the petitioner submitted a letter to the fourth respondent on 23.09.2015 requesting him to permit the petitioner to join duty, which was not received by the fourth respondent. Therefore, on 28.09.2015 he sent a representation to the second respondent requesting her to issue an order under Section 155 of the Tamil Nadu Co-operative Societies Act, 1983 to take action against the fourth respondent under Sections 157 and 158 of the Act. But, so far it has not been considered by the second respondent. Hence, the present Writ petition has been filed.

4. Heard the submissions of Mr.P.P.Shanmugasundaram, learned counsel for the petitioner and Ms.T.P.Savitha, learned Government Advocate who accepts notice on behalf of the respondents 1 to 3 as well as Mr.L.P.Shanmugasundaram, learned Special Government Pleader who accepts notice on behalf of the fourth respondent.

5. This Court taking into consideration the facts and circumstances of the case, directs the second respondent to consider and dispose of the representation of the petitioner dated 28.09.2015 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 to the petitioner.

This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar of Co-operative Societies,
E.V.R.Road, Kilpauk,
Chennai-600 010.
2. The Joint Registrar of Co-operative Societies/
Revisional Authority, Cuddalore District,
Cuddalore.
3. The Deputy Registrar of Co-operative Societies,
Vridhachalam Region, Cuddalore District.

+1cc to Mr.P.P.Shanmugasundaram, Advocate, S.R.No.63217

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.63442

+1cc to the Government Pleader, S.R.No.63582

W.P.No.37191 of 2015

TEJ(CO)

CA(25/11/2015)