

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.9819 of 2015

P.Asaithambi

... Petitioner

Vs.

1. The Secretary to the Government of Tamil Nadu
Department of Co-operation,
Food and Consumer Protection,
Fort St. George,
Chennai - 600 009.
2. The Deputy Registrar of Co-operative Societies,
Salem Circle, Salem.
3. The Manging Director,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.
4. The Secretary,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.
5. The President,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari to call for the records pertaining to the issue the suspension order dated 11.03.2015 having reference Na.Ka.No.363/2010/A passed by the third respondent and quash the same.

For Petitioner : Mr.E.P.Senniyangiri

For Respondents : Mr.R.Bala Ramesh
Addl. Govt. Pleader

ORDER

With the consent of both sides, this writ petition itself is taken up for final disposal.

2. The impugned order is the order of suspension dated 11.03.2015 issued against the petitioner pending enquiry on the serious irregularities. Even as per paragraph 6 of the affidavit of the petitioner, there are excess stock to the tune of Rs.4,99,715/- without making any entry in the Goods Received Note.

3. According to him, he signed the said note due to the threat of the Managing Director. But, as admitted, he signed the paper. Therefore, even as per his own affidavit, the allegations are serious and he is now placed under suspension.

4. This Court has very limited jurisdiction to entertain a writ petition questioning the suspension order.

5. The learned counsel for the petitioner has not pointed out any infirmity in the suspension order. It is not his case that the Managing Director, who issued the suspension order, has no authority to issue the same or any other irregularity is pointed out to interfere with the impugned order.

6. Furthermore, writ petition against the third respondent /co-operative society, is not maintainable, as held by the Larger Bench of this Court in K.Marappan V. The District Registrar of Co-operative Societies, Namakkal, reported in 2006 (4) CTC 689.

7. For all the aforesaid reasons, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to the Government of Tamil Nadu
Department of Co-operation, Food and Consumer Protection,
Fort St. George,
Chennai - 600 009.
 2. The Deputy Registrar of Co-operative Societies,
Salem Circle, Salem.
 3. The Managing Director,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.
 4. The Secretary,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.
 5. The President,
The Salem District Consumer Co-operative,
Wholesale Stores Ltd.,
Salem - 9.
- + 1 cc to Mr.E.P.Senniyangiri, Advocate SR.18943
- + 1 cc Government Pleader Sr.19009

RSY(CO)
EU 15.04.2015

W.P.No.9819 of 2015

सत्यमेव जयते

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