

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.11893 of 2016

and

WMP.Nos.10272 & 10273 of 2016

M.Ayyappan

... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Tindivanam Circle, Tindivanam,
Villupuram District.

2. The President,
Melchithamoor Primary Agricultural
Co-operative Credit Society,
Melchithamoor & Post, Gingee Taluk,
Villupuram District.

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of Certiorari, calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.2851/2015/PACCS dated 15.03.2016 and to quash the same.

For Petitioner : Mr.C.Prakasam
For Respondent : Mrs.T.P.Savitha,
Nos.1 & 2 Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.2851/2015/PACCS dated 15.03.2016.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mrs.T.P.Savitha, learned Government Advocate for the respondents.

3. The petitioner who was originally appointed as Attender in the Melchithamoor Primary Agricultural Co-operative Credit Society, Gingee on 30.09.1992 was dismissed from service by

order dated 22.02.2008. After seven years from the date of dismissal of the petitioner, the second respondent herein has again appointed him afresh.

4.Considering the fact that the petitioner was terminated from service by order dated 22.02.2008 and again the second respondent has reappointed the same person without following the provisions of the Co-operative Society Act, the first respondent had issued the impugned order dated 15.03.2016, directing him to cancel the reinstatement/reappointment of the petitioner and he had also further directed the second respondent to recover the salary paid to the petitioner.

5.This Court is not able to find any error in the impugned order passed by the first respondent dated 15.03.2016 and therefore, the writ petition fails and dismissed. Consequently, connected Miscellaneous Petitions are also closed. No costs.
DP

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

The Deputy Registrar of Co-operative Societies,
Tindivanam Circle, Tindivanam,
Villupuram District.

+ 1 cc to Mr.C.Prakasam, Advocate, SR 20475

+ 1 cc to M/s.T.P.Savitha, Advocate, SR 20146

+ 1 cc to Govt.Pleader, High Court, Madras SR 20552

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