

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.22811 of 2016

C.Periyasamy

.. Petitioner

Vs.

1.The Joint Registrar of
Co-operative Societies,
Erode Region, Erode.

2.The Deputy Registrar of
Co-operative Societies,
Erode Circle, Erode - 639 009.

3.P.E.65, Modakurichi Circle Teachers and
Public Servants Co-operative Thrift and
Credit Society Limited,
Rep. by its President,
No.7, Kootturava Poonga
(Co-operative Park)
Modakurichi - 638 104 .. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India, praying for a writ of Certiorari,
calling for the records relating to the impugned suspension
orders dated 30.01.2015 on the file of the 3rd respondent and
quash the same.

For Petitioner: Mr.R.Jeyaram

For Respondents: Mr.L.P.Shanmugasundaram
Spl. Government Pleader (Co-op.)

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O R D E R

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

2.This Writ Petition has been filed by the petitioner,
challenging the impugned suspension orders passed by the third
respondent dated 30.01.2015 and to quash the same.

3.Heard the learned counsel appearing for the petitioner
as well as the learned Special Government Pleader appearing
for the respondents.

4.The learned counsel for the petitioner submitted that on the date of the petitioner's superannuation, he was served with two suspension orders, on two different grounds. Actually, according to the petitioner, there is no basis on the orders passed by the third respondent and he was compelled to sign the same. In regard to the same, the petitioner has made a representation dated 25.05.2015 to the third respondent. Since the same was not considered by the third respondent, he has come forward with the present writ petition.

5.The learned Special Government Pleader for the respondents would contend that since there is a provision for the petitioner to file an appeal under Section 152 of the Tamil Nadu Co-operative Societies Act, the petitioner's representation is not in consonance with the Act and therefore, the same was not considered by the third respondent.

6.Considering the submissions made on either side, this Court directs the petitioner to file an appeal before the first respondent within a period of 10 days from the date of receipt of a copy of the order. When such an appeal is filed, the first respondent is directed to give an opportunity of personal hearing to the petitioner and pass appropriate orders, within a period of three months thereafter, without insisting the question of limitation, as he has made it as a representation which was not considered by the third respondent till date.

7.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

DP

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To

1.The Joint Registrar of Co-operative Societies,
Erode Region, Erode.

2.The Deputy Registrar of Co-operative Societies,
Erode Circle, Erode - 639 009.

3.The President,
P.E.65, Modakurichi Circle Teachers and
Public Servants Co-operative Thrift and
Credit Society Limited,
No.7, Kootturava Poonga (Co-operative Park)
Modakurichi - 638 104

+2ccs to M/s. R. Jeyaraman, Advocate, S.R.No.37110

+1cc to M/s. L.P. Shanmugasundaram, Advocate, S.R.No.37007

+1cc to the Government Pleader, S.R.No.37441

PPA (CO)
EU (29/07/2016)

WP No.22811 of 2016



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