

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.09.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.30955 of 2016
and
WMP No.26817 of 2016

Vadamalai

.. Petitioner

Versus

1. The President,
Theerthanagiri Primary Agricultural Co-operative Bank,
Theerthanagiri, Cuddalore District.
 2. The Secretary,
The President,
Theerthanagiri Primary Agricultural Co-operative Bank,
Theerthanagiri, Cuddalore District.
 3. Deputy Registrar,
Cuddalore,
Cuddalore District.
 4. The Sub-Registrar,
Sub-Registrar for Co-operative Society,
Kuriyipadi, Cuddalore District.
- ..Respondents

Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus to quash the order of Final Notice dated 29.08.2016 and to re-instate the petitioner.

For Petitioner : Mr.S.Madhusudanan
For Respondents : Mr.LP.Shanmugasundaram
Special Government Pleader

ORDER

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. This Writ Petition has been filed seeking for issuance of Writ of Certiorarified Mandamus to quash the Final Notice dated 29.08.2016 issued by the first respondent, whereby the petitioner was asked to show cause within seven days from the date of receipt of the said notice as to why he should not be dismissed from service based on the enquiry conducted against him.

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

4. After elaborate arguments advanced on either side, the learned counsel appearing for the petitioner would submit that as the time fixed for submission of explanation to the notice expired on 06.09.2016, it would suffice if time is extended to enable the petitioner to submit his reply to the said notice.

5. The learned Special Government Pleader appearing for the respondents has no serious objection for the same especially when the petitioner has challenged only the show cause notice issued to him in this writ petition.

6. Considering the facts and circumstances of the case and the submission of the counsel for both sides, without prejudice to the right of both sides, this Court is inclined to extend the time indicated in the show cause notice dated 29.08.2016 to enable the petitioner to submit his explanation. Accordingly, time is granted till 22.09.2016 for the petitioner to submit his explanation. On receipt of such explanation, it is for the first respondent to consider it and pass appropriate orders in the light of the direction given by this Court in W.P.No.27281 of 2016 filed by the petitioner earlier, within a period of two months from the date of receipt of a copy of this order. However, it is made clear that this Court by this order has not expressed any opinion on the merits of the case.

7. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The President,
Theerthanagiri Primary Agricultural Co-operative Bank,
Theerthanagiri, Cuddalore District.
2. The Secretary,
The President,
Theerthanagiri Primary Agricultural Co-operative Bank,
Theerthanagiri, Cuddalore District.
3. The Deputy Registrar,
Cuddalore,
Cuddalore District.
4. The Sub-Registrar,
Sub-Registrar for Co-operative Society,
Kuriyipadi, Cuddalore District.

+1 cc to M/s.S.Madhusudanan Advocate sr 50076

WP No.30955 of 2016

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