

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 26.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31422 of 2016

Bakkyalakshmi

... Petitioner

-VS-

- 1.The President,
Chenchery Malaiyadipalayam
Farmers Service Co-operative Society,
Chenchery Malaiyadipalayam,
Sulthanpet, Coimbatore.
- 2.The Joint Registrar of Co-operative Societies,
Coimbatore Region, Coimbatore.
- 3.The Special Officer,
Chenchery Malaiyadipalayam
Farmers Service Co-operative Society,
Chenchery Malaiyadipalayam,
Sulthanpet, Coimbatore.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to reinstate the petitioner into service with all back wages and attendant benefits including continuity of service till the final orders passed and surcharge proceedings initiated under Section 87 of the Tamil Nadu Co-operative Societies Act.

For Petitioner : Prof.M.Udaya Bhanu

For Respondents : Mr.L.P.Shanmugha Sundaram
Special Government Pleader

O R D E R

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to reinstate her into service with all back wages and attendant benefits including continuity of service till the final orders passed and surcharge proceedings initiated under Section 87 of the Tamil Nadu Co-operative Societies Act.

2.It is the case of the petitioner that she was appointed as Clerk in Chenchery Malaiyadipalayam Farmers Service Co-operative Society on 01.04.1996. Based on certain allegations, she was terminated from service on 17.08.2007. In this regard, the petitioner made a representation to the first respondent on 25.11.2013 but till date no orders have been passed, left with no other alternative, the petitioner has come up with the present writ petition.

3.Today, the learned Special Government Pleader for the respondents has served a copy of the order passed by the third respondent to the learned counsel for the petitioner.

4.The learned counsel for the petitioner submitted that the petitioner will work out her remedy by filing a revision petition under Section 153 of the Tamil Nadu Co-operative Societies Act before the second respondent.

5.Recording the submission made by the learned counsel for the petitioner, this Writ Petition is closed. No costs. The petitioner is permitted to file a revision petition before the second respondent, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to entertain the same and decide it, on merits and in accordance with law, as early as possible.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sri

To

1.The President,
Chenchery Malaiyadipalayam
Farmers Service Co-operative Society,
Chenchery Malaiyadipalayam,
Sulthanpet, Coimbatore.

2.The Joint Registrar of Co-operative Societies,
Coimbatore Region, Coimbatore.

3.The Special Officer,
Chenchery Malaiyadipalayam
Farmers Service Co-operative Society,
Chenchery Malaiyadipalayam,
Sulthanpet, Coimbatore.

1 cc to Mr.M. Udhaya bhanu, Advocate, Sr. 54676
1 cc to Mr.L.P.Shanmugha Sundaram, Advocare, Sr. 54972
1 cc to Government Pleader, Sr. 55187

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