

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.37671 of 2016

K.Babu

... Petitioner

Vs.

1. The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.
 2. The Joint Registrar of Co-operative Societies,
Collectorate Complex,
Villupuram.
 3. The Deputy Registrar of Co-operative Societies,
Thirukovilur, Villupuram District.
 4. The President,
I.I.630, Emapur Primary Agricultural
Co-operative Credit Society Ltd.,
Emapur, Thirukovilur Taluk,
Villupuram District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the records pertaining to the impugned order in Na.Ka.No.287/2016 Sa.Ba, dated 04.08.2016 passed by the 3rd respondent viz. The Deputy Registrar of Co-operative Societies, Thirukovilur, Villupuram District and quash the same.

For Petitioner : Mr.A.G.Rajan

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

O R D E R

Aggrieved by the impugned Surcharge Order dated 04.08.2016 passed by the 3rd respondent, the petitioner has come up with this Writ Petition seeking to quash the same.

2. According to the petitioner, he joined the service of the 4th respondent Co-operative Credit Society on 09.05.1992 as Salesman and on 13.06.2000, he was promoted as Attender in the said Society. While so, the petitioner was issued with a charge memo on 08.03.2016 by the 4th respondent herein stating that he has not furnished proper details of the amount entrusted with him by one Kathavarayan, Fertilizer

Salesman/Cashier for the period between 03.07.2015 and 27.07.2015. It is the grievance of the petitioner that inspite of granting him sufficient time to offer his explanation, he was temporarily suspended and a suspension order was issued on him on 21.03.2016. The Enquiry Officer viz. the 3rd respondent completed the enquiry and passed an order on 04.08.2016, stating that the petitioner has caused a sum of Rs.1,49,95,401/- loss to the Society and he is made liable only to the tune of Rs.33,42,174/-. Challenging the said order, the petitioner is before this Court.

3. Heard the learned counsel on either side.

4. The petitioner has challenged the impugned order passed by the 3rd respondent, who is the Deputy Registrar of Co-operative Societies. Though the petitioner has got an effective alternative remedy, without exhausting the same, he has approached this Court. Hence, I find no merits in this case. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected W.M.P.No.32289 and 32328 of 2016 are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To:

1. The Registrar of Co-operative Societies, Kilpauk, Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies, Collectorate Complex, Villupuram.
3. The Deputy Registrar of Co-operative Societies, Thirukovilur, Villupuram District.
4. The President, I.I.630, Emapur Primary Agricultural Co-operative Credit Society Ltd., Emapur, Thirukovilur Taluk, Villupuram District.

+1cc to Mr.L.P.Shanmuga Sundaram, Advocate, S.R.No.62007

+1cc to the Government Pleader, S.R.No.62136

W.P.No.37671 of 2016