

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.12.2016

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The Honourable Mr. *JUSTICE M.SATHYANARAYANAN*

Writ Petition No.43584 of 2016

and W.M.P.No.37412 of 2016

B.V.Narendrakumar

... Petitioner

-Vs-

1. The Joint Registrar of Cooperative Societies,
Tiruvallur Regiona, Tiruvallur,
Tiruvallur District.
 2. The President,
Vishnuvakkam Primary Agricultural
Coop. Credit Society,
Vishnuvakkam, Keelanur Post,
Tiruvallur Taluk and District.
- ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 10.08.2016 within a stipulated time as this Honourable Court fixes.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram,
Spl.G.P. (Co.op.)

ORDER

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner, while serving as Secretary of Vishnuvakkam Primary Agricultural Cooperative Credit Society, was placed under suspension during the year 2010 alleging certain irregularities in disbursing the crop loans. The

petitioner was also issued with a charge memo and thereafter, culminated into a disciplinary proceedings and the petitioner was terminated from service on 13.08.2012 by the 2nd respondent. The petitioner, challenging the same, filed a revision under Section 153 of the TamilNadu Co-operative Societies Act 1983 and the first respondent has also rejected the same.

3. The petitioner would further aver that simultaneously the criminal prosecution was also launched by the CCIW, CID Police, Tiruvallur. Challenging the same, the petitioner filed CrI.O.P.No.999/2013 before this Court and the same is pending.

4. The grievance expressed by the petitioner is that though he was terminated from service as early as on 13.08.2012, the terminal benefits such as Gratuity, Provident Fund and other monetary benefits have not been paid. The petitioner has also submitted a representation dated 10.08.2016 to the respondents and despite the receipt and acknowledgement, it has not been given disposal. Hence, he came forward to file this writ petition.

5. Heard the submission of Mr.C.Prakasam, and Mr.L.P.Shanmugasundaram, learned Special Government Pleader (Co.op.) appearing for the respondents.

6. This Court, taking into consideration the limited scope of the prayer sought for, without going into the merits of the claim projected by the petitioner, directs the respondents 1 and 2 to consider the petitioner's representation dated 10.08.2016 on merits and in accordance with law and pass order within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते
sd/

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Joint Registrar of Cooperative Societies,
Tiruvallur Regiona, Tiruvallur,
Tiruvallur District.

2. The President,
Vishnuvakkam Primary Agricultural
Coop. Credit Society,
Vishnuvakkam, Keelanur Post,
Tiruvallur Taluk and District.

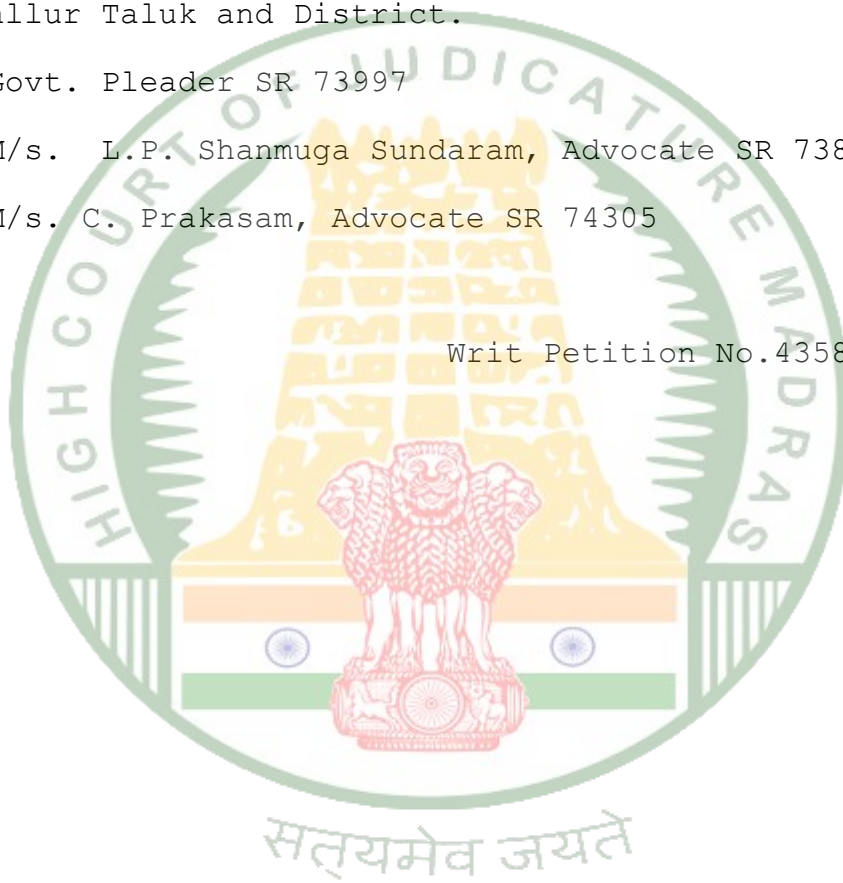
+1 CC to Govt. Pleader SR 73997

+1 CC to M/s. L.P. Shanmuga Sundaram, Advocate SR 73836

+1 CC to M/s. C. Prakasam, Advocate SR 74305

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