

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43955 of 2016

S.Jayabalan

.. Petitioner

-vs-

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

2. The Joint Registrar of Co-operative Societies/
Managing Director
Vellore District Central Co-operative Bank
Vellore

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider and pass appropriate orders based on petitioner's representation dated 21.11.2016.

For Petitioner :: Mr.S.Sairaman

For Respondents :: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

The petitioner, who was serving as Field Manager in the second respondent institution with 39 years of service, was relieved from service pending the departmental proceedings. Finally the departmental proceedings also came to an end holding him guilty of all the charges, resultantly a punishment of stoppage of increment for a period of three years with cumulative effect was imposed. When the Joint Registrar of Co-operative Societies cum Managing Director, Vellore District Central Co-operative Bank vide his proceedings dated 31.5.2014 has also stated that the terminal benefits of the petitioner would be processed and settled depending upon the result of the departmental proceedings, the respondents cannot indefinitely postpone the disbursement of his terminal benefits even after the imposition of punishment. Therefore, a direction may be given to dispose of his pending representation, he pleaded.

2. The learned Special Government Pleader, taking notice on behalf of the respondents, submitted that it is not known whether any criminal case is pending against the petitioner.

3. However, reiterating his argument, the learned counsel for the petitioner submitted that as the petitioner suffered only one departmental proceedings, for which he was imposed with the punishment as mentioned above, there is no criminal or Section 87 proceedings pending against the petitioner.

4. Recording the statement of the learned counsel for the petitioner, the second respondent is directed to consider the representation of the petitioner dated 21.11.2016 on merits, in the light of his proceedings dated 31.5.2014, and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

ss

To

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

2. The Joint Registrar of Co-operative Societies/
Managing Director
Vellore District Central Co-operative Bank
Vellore

+ 1 cc to Mr.S.Sairaman, Advocate, (SR75987)
+ 1 cc to Mr.L.P.Shanmugamsundaram, Advocate, (SR76041)
+ 1 cc to Government Pleader, (SR76331)

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