



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2016

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THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P(MD) .No.16083 of 2016

and

W.M.P(MD) No.11755 of 2016

K.Dhanasekaran

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,  
Chinna Chokkikulam,  
Madurai - 625 002.

2.The Deputy Registrar of Cooperative Societies,  
Krishnarayar Tank Road,  
Madurai - 625 001.

3.A.2829 Sivaji Cooperative Store Ltd.,  
rep. by its President,  
No.9/37 Thalaisyari Gurunathan Kovil Street,  
Mela Masi Veethi,  
Madurai - 625 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a WRIT OF CERTIORARIFIED MANDAMUS to call for records of the impugned order passed by the 3<sup>rd</sup> respondent, dated 30.05.2015, and quash the same and direct the respondents to permit the petitioner to continue in the service as Office Assistant till the petitioner attains the age of 60 years.

For petitioner : Mr.R.Saravanan

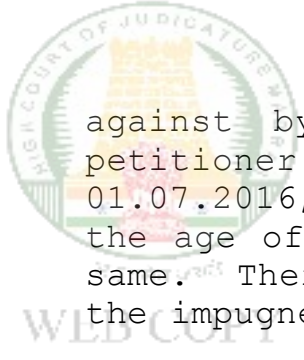
For respondents : Mr.T.R.Janarthanam

Addl. Govt. Pleader for R1 and R2

Mr.K.P.Krishnadass for R3

**ORDER**

The petitioner/Mr.K.Dhanasekaran, who was originally appointed as Packer in the third respondent Co-operative Society registered under the Tamil Nadu Cooperative Societies Act, has been discharging his duty without any complaint whatsoever to the fullest satisfaction of the respondents and also Superior Officer, when his date of superannuation is 60 years, the third respondent relieved the petitioner from the service on the ground that he has completed 58 years on 30.05.2015, which is



against by-laws of the Co-operative Societies. Although the petitioner raised his objection and also gave a representation on 01.07.2016, to permit him to continue in the job till he attains the age of 60 years, the third respondent refused to consider the same. Therefore, a suitable direction should be given by quashing the impugned order.

2. The petitioner, no doubt, was appointed as a Packer, which comes under the Tamil Nadu Basic Service. But he was allowed to retire on 30.05.2015 since then he is not working. After lapse of one year and three months, the petitioner with huge delay cannot come to this Court seeking reinstatement. Therefore, on the ground of huge delay, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-  
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Joint Registrar of Cooperative Societies,  
Chinna Chokkikulam,  
Madurai - 625 002.

2.The Deputy Registrar of Cooperative Societies,  
Krishnarayar Tank Road,  
Madurai - 625 001.

+1 CC to M/s.R.SARAVANAN, Advocate, SR No.48051

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skn

SH/SKS-RR:07.11.2016:2P/4C