



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.02.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.2875 of 2016

P.Jacob Raj

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Dindigul Region,
Dindigul.

2.A-2975, Silukkuvarpatti Primary Agriculture Cooperative Credit
Society,
Thro its President,
Silkkuvarpatti Post,
Nilakottai Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the
Constitution of India to issue a Writ of Mandamus directing the
first respondent to reinstate the petitioner as Clerk in the first
respondent's society based on the representation made by the
petitioner, dated 22.09.2015.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.T.R.Janarthanam,
Additional Government Pleader

ORDER

Mr.T.R.Janarthanam, learned Additional Government Pleader
takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up
for final disposal.

3. The petitioner seeks for a Mandamus directing the first
respondent to reinstate the petitioner as Clerk in the second
respondent society based on the representation made by the
petitioner, dated 22.09.2015.

4. The case of the petitioner is that the petitioner was
appointed as a Clerk in the second respondent Society on
14.06.2012. During his service, the second respondent had taken
disciplinary action against the petitioner pending criminal case
and thereafter, the suspension order was revoked and the



petitioner was reinstated into service on 18.09.1999. Thereafter, due to financial crisis, the society was dissolved on 31.07.2003 vide Na.Ka.No.3147/2003 sa.pa. Thereafter, the first respondent through proceedings in R.C.No2504/2008/S.F(2), dated 16.12.2009 appointed administrator of the second respondent society and thereafter, the second respondent society was running in a good condition and the petitioner was also allowed to work from 15.03.2010 till February 2012. Thereafter, the second respondent society could not pay the salary, hence, the petitioner went on leave on loss pay for the past 2 ½ years. In the meanwhile a criminal case was lodged by the Deputy Registrar of Cooperative Societies, Dindigul against the petitioner and in which he was acquitted. Now the Post of Clerk is vacant in the second respondent society. Hence, the petitioner has made a representation on 22.09.2015 to the first respondent to reinstate the petitioner as Clerk in the second respondent society. The said representation is said to be still pending. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the claim made by the petitioner, the first respondent is directed to consider the representation of the petitioner, dated 22.09.2015 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

1.The Joint Registrar of Cooperative Societies,
Dindigul Region, Dindigul.

2.A-2975, Silukkuvarpatti Primary Agriculture
Cooperative Credit Society,
Thro its President,
Silkkuvarpatti Post, Nilakottai Taluk, Dindigul District.
+One cc to M/S.R.SARAVANAN, Advocate, SR.No. 7893

pm

RL/4C/PM/MP/17/2/2016

W.P(MD)No.2875 of 2016