



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

**Writ Petition(MD)No.9420 of 2011
and
M.P(MD)No.1 of 2011**

P.Ayyasamy

... Petitioner

Vs.

1.The Joint Registrar of Co-op Societies,
Sivagangai,
Sivagangai District.

2.The Deputy Registrar of Co-op Societies,
Virudhunagar,
Virudhunagar District.

3.The State of Tamil Nadu,
Rep. By its Secretary to Government,
Food & Co-operation Department,
St. George Fort,
Secretariat,
Chennai -9.

4.The Registrar of Co-operative Societies,
O/o.the Registrar of Co-operative Societies,
No.170, E.V.R. High Road,
N.V.Natarajan Maligai,
Chennai-10.

... Respondents

(R-3 & R-4 are impleaded vide order, dated 01.11.2016
passed by MGRJ) in WMP(MD)No.14892/2016

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned charge memo issued by the 2nd respondent in his proceedings Na.Ka.No.1209/2008/g.bjh, dated 19.05.2009 and quash the same as illegal.

For Petitioner

: Mr.C.Venkatesh Kumar

For Respondents

: Mrs.S.Bharathi,

Government Advocate

ORDER

The Writ Petitioner has challenged the charge-memo issued by the first respondent in Na.Ka.No.1209/2008/g.bjh, dated 19.05.2009.

WEB COPY

2. The charge-memo came to be issued on the eve of the retirement of the petitioner, for an incident, which had taken place four years before his date of superannuation. The gravamen of the charge is that he failed to monitor the discrepancies in sanctioning of loan as custodian of the administration of the Institution.

3. When the matter is taken for hearing today, the learned Government Advocate appearing for the respondents would submit that in proceedings R.C.No.3874/2009/g.bjh, dated 30.04.2013, the first respondent has sent a proposal to the fourth respondent for passing final orders as the charges were held to be not proved. So that disciplinary action has to be dropped. But, the fourth respondent has so far not passed any order on the proposal sent by the first respondent, dated 30.04.2013. Therefore, it would suffice to issue a direction to the fourth respondent to pass orders on the proposal sent by the first respondent, within a stipulated time.

4. I have considered the arguments of the learned counsel appearing for the respective parties.

5. Without going into the merits of the case, a direction is issued to fourth respondent to pass final order on the proposal sent by the first respondent, dated 30.04.2013, 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

pm

To

1. The Joint Registrar of Co-op Societies,
Sivagangai, Sivagangai District.

<https://hcservices.ecourt.gov.in/hcservlet>
2. The Deputy Registrar of Co-op Societies,
Virudhunagar, Virudhunagar District.



3.The Secretary to Government,
The State of Tamil Nadu,
Food & Co-operation Department,
St. George Fort, Secretariat,
Chennai -9.

4.The Registrar of Co-operative Societies,
O/o.the Registrar of Co-operative Societies,
No.170, E.V.R. High Road,
N.V.Natarajan Maligai,
Chennai 10.

+1CC to M/S.Ajmal Associates Sr.No.64796

GJM/DB/21.11.16-3p-6C

W.P (MD) No. 9420 of 2011
01.11.2016