

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2017

CORAM:

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.1039 of 2017
and
C.M.P.No.14758 of 2017

A.Shanmugam

... Appellant/
Writ Petitioner

.. Vs ..

1. The Joint Registrar of Co-operative Societies,
Namakkal Region, Namakkal,
Namakkal District.
 2. The Managing Director/Deputy Registrar,
Tiruchengode Co-operative
Urban Bank Ltd., No.8994,
Tiruchengode, Namakkal District.
 3. The Domestic Enquiry Officer,
Tiruchengode Co-operative
Urban Bank Ltd., No.8994,
Tiruchengode, Namakkal District.
- ... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent Act,
against the order dated 03.08.2017 made in W.P.No.19866 of 2017.

W.P.No.19866 of 2017:- Writ petition is filed under Article 226
of the constitution of India, praying for the issue of a Writ of
Mandamus directing the respondents to furnish relevant documents
to the petitioner for enabling him to participate the
disciplinary proceedings including the domestic enquiry
conducted by the third respondent.

For Appellant : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugha Sundaram,
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by
HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties for some time.

2. It appears that in paragraph No.3 of the order dated 03.08.2017, the learned Single Judge has noted that the particulars of the relevant documents have not been furnished and also for doing so, imposed costs of Rs.1,000/- (Rupees One Thousand only) on the appellant/writ petitioner. It appears that the appellant/writ petitioner also wanted to contest the order of the learned Single Judge both on merits and with regard to imposition of costs. However, we are of the view that it is suffice if the appellant/writ petitioner is directed to furnish the details of the documents that are required by him within a week so that the copies could be supplied by the respondents and the matter can be decided on merits by the Domestic Enquiry Officer.

3. Accordingly, we direct the appellant/writ petitioner to submit a representation to the Domestic Enquiry Officer specifying the list of documents that are required by him, within a period of one week from the date of receipt of a copy of this order and on such receipt of representation, the Domestic Enquiry Officer shall consider the same and suitable orders may be passed as to the supply of documents, within a period of two weeks from the date of receipt of the representation. However, the cost awarded by the learned Single Judge shall stand waived.

The Writ Appeal is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jrl
To

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

2. The Managing Director/Deputy Registrar,
Tiruchengode Co-operative
Urban Bank Ltd., No.8994,
Tiruchengode, Namakkal District.

3. The Domestic Enquiry Officer,
Tiruchengode Co-operative
Urban Bank Ltd., No.8994,
Tiruchengode, Namakkal District.

+1cc to Mr.C.Prakasam, Advocate Sr. 65029

W.A.No.1039 of 2017

BR(CO)
VR(27/10/2017)



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