

In the High Court of Judicature at Madras

Dated : 02.08.2017

Coram :

The Honourable Mr.Justice S.M.SUBRAMANIAM

W.P. No.10845 of 2017

and

W.M.P.Nos. 11773, 11774, 11775 & 15423 of 2017

M.Janaki

...Petitioner

Vs

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

2. The President,
Z 719, Thittacheri Primary Agricultural
Co-operative Credit Society Ltd.
Purakiramam-609 703,
Nagappatinam District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the orders of suspension in proceedings Nil dated 09/04/2015 passed by the second respondent and the orders passed by the first respondent in Na.Ka.No.2922/2015/A-3 dated 08/07/2015 quash the same and consequently direct the second respondent to reinstate the petitioner into service with all consequential benefits.

For Petitioner : Mr. S.Kamadevan

For 1st Respondent : Mr. L.P.Shanmugasundaram,
Special Government Pleader,
(Co-operative Societies).

For 2nd Respondent : Mr.M.S.Palanisamy

ORDER

1. The order of suspension dated 09.04.2015 was taken by way of revision before the first respondent under Section 153 of the Tamil Nadu Co operative Societies Act.

2. The Revisional Authority has not considered the merits and demerits of the grounds raised in the revision petition filed under Section 153 of the Tamil Nadu Co operative Societies Act and passed order in proceedings dated 08.07.2015, rejecting the revision petition.

3. The learned counsel appearing for the writ petitioner contended that it is a non speaking order passed by the first respondent and the grounds raised in the revision petition are not considered in accordance with provisions of the Tamil Nadu Co operative Societies Act and rules and the bye laws in this

regard.

4. The learned counsel appearing for the second respondent also conceded that the order passed by the Revisional authority is non speaking and it is suffice if the matter is remitted back to the Revisional Authority for fresh consideration in accordance with law.

5. In this view of the matter and without considering the merits and demerits of the case the order passed by the Revisional Authority in proceedings Na.Ka.No.2922/2015/A-3, dated 08.07.2015 is quashed and the first respondent is directed to re consider the entire revision petition filed by the writ petitioner under Section 153 of the Act and pass final orders after affording reasonable opportunities to all the parties in accordance with law. Accordingly, the writ petition stands disposed of. However, no order as to costs. Consequently, connected miscellaneous petitions are also closed.

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Index : Yes (or) No
Internet Yes (or) No

S.M.SUBRAMANIAM,J

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To

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Nagappatinam Region,
Nagappatinam.
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