

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.11 of 2017

and WMP.No.5 of 2017

A.Lourdu Jeyarani .. Petitioner

vs.

1.The Additional Registrar of Cooperative Societies,
Chennai Region, No.91, St.Mary's Road,
Abiramapuram, Chennai-18.

2.The Deputy Registrar of Cooperative Societies,
(Credit), 3rd Floor, Kuralagam,
Chennai-108.

3.The President,
Chennai-Kancheepuram and Tiruvallur
District Anganvadi Workers Cooperative
Thrift and Credit Society Ltd., XC-253,
Chepauk, Chennai-5. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 to reinstate the petitioner into service in the post of Clerk cum Accountant in the 3rd respondent society by giving all monetary benefits and continuity of service together with balance subsistence allowance arrears by implementing the first respondent order in his proceedings in Na.Ka.No.7686/2015/E2 dated 19.09.2016 under Section 155 of the Tamil Nadu Cooperative Societies Act.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.L.P.Shanmugasundaram,
1 &2 Special Govt. Pleader (Co.op)
For R3 : Mrs.T.Girija,
Government Advocate

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner, while working as Clerk cum Accountant in the services of the third respondent Society, was visited with disciplinary proceedings, which has ended in removal from service. The petitioner challenging the same had filed a revision under Section 153 of the Tamil Nadu Cooperative Societies Act and the first respondent, vide order dated 19.09.2016, has modified the punishment to postponement of increment for a period of 7 years with cumulative effect which include the leave period also. The grievance expressed by the petitioner is that despite the said order, he is yet to be reinstated into service and in this regard, the petitioner has also submitted a representation dated 24.10.2016 to the third respondent praying for her reinstatement and consequential benefits and since it was not given disposal, the petitioner has come forward with this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner, Mr.L.P.Shanmugasundaram, learned Special Government Pleader (Coop.), who accepts notice on behalf of the respondents 1 and 2, Mrs.T.Girija, learned Government Advocate who accepts notice on behalf of the third respondent and also perused the materials placed before it.

4. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to consider and dispose of the petitioner's representation dated 24.10.2016 by taking note of the order of the first respondent dated 19.09.2016 in Na.Ka.No.7686/2015/E2 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

1.The Additional Registrar of Cooperative Societies,
Chennai Region, No.91, St.Mary's Road,
Abiramapuram, Chennai-18.

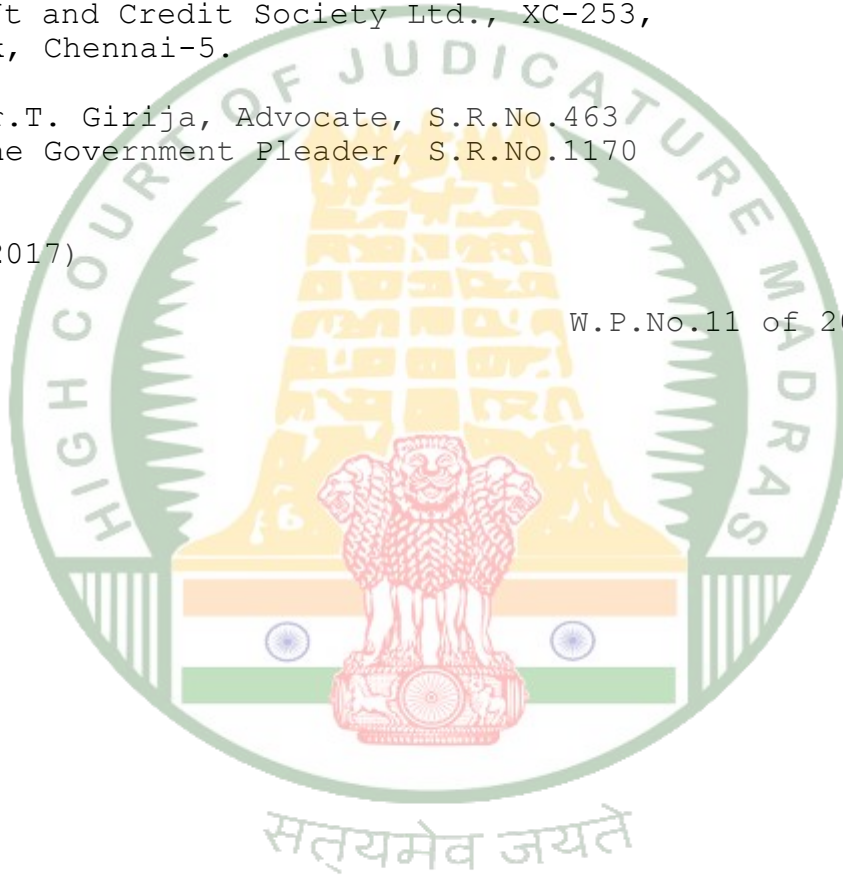
2.The Deputy Registrar of Cooperative Societies,
(Credit), 3rd Floor, Kuralagam,
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3.The President,
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District Anganvadi Workers Cooperative
Thrift and Credit Society Ltd., XC-253,
Chepauk, Chennai-5.

+1cc to Mr.T. Girija, Advocate, S.R.No.463
+1cc to the Government Pleader, S.R.No.1170

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md(23/01/2017)

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