

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22195 of 2017

K.Kumaravel

..Petitioner

Vs

1. The Joint Registrar of Co-operative Societies
O/o. the Joint Registrar of Co-operative Societies
No.3, Beach Road
Cuddalore & District 607 001.
2. The Deputy Registrar of Co-operative Societies
O/o.the Deputy Registrar of Co-operative Societies
Cuddalore & District 607 001.
3. The President
E.2583, Anguchettipalayam Primary Agricultural
Co-operative Bank Limited
Anguchettipalayam
Panruti Taluk
Cuddalore District. ... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 22.12.2016 with regard to the petitioner's reinstatement into service within a time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Venkatesan

For Respondents: Mr.L.P.Shanmuga Sundaram
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction, to direct the first respondent to consider the petitioner's representation submitted on 22.12.2016 and the pass orders.

2. The writ petitioner was appointed as Night Watchman on 09.01.2001 and thereafter, his services were regularized. Based on certain allegations, a charge memo was issued to the writ petitioner on 05.08.2013 and he was placed under suspension with effect from 21.05.2013. Domestic enquiry was conducted and based on the domestic enquiry report dated 26.10.2013, the writ petitioner was terminated from services by proceedings dated 20.12.2013. Meanwhile, the criminal case registered against the writ petitioner ended with an order of acquittal on 16.03.2016, in C.C.No.34 of 2015. In this regard, the writ petitioner submitted a representation to the first respondent on 22.12.2016 to consider his case for reinstatement.

3. In view of the order of acquittal passed by the criminal Court, without going into the merits of the case, the writ petitioner is directed to file a revision petition in a proper forum and by paying the necessary fee as per the Tami Nadu Co-operative Societies Act within a period of two weeks from the date of receipt of a copy of this order and thereafter, the first respondent is directed to pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy this order.

4. Accordingly, the writ petition stands disposed of. However no order as to costs.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

dna

To

1.The Joint Registrar of Co-operative Societies
O/o. the Joint Registrar of Co-operative Societies
No.3, Beach Road
Cuddalore & District 607 001.

2.The Deputy Registrar of Co-operative Societies
O/o.the Deputy Registrar of Co-operative Societies
Cuddalore & District 607 001.

3. The President
E.2583, Anguchettipalayam Primary Agricultural
Co-operative Bank Limited
Anguchettipalayam
Panruti Taluk
Cuddalore District.

+1 Cc to The Govt. Pleader sr 63043.
+1 Cc to Mr.A. Mr.A.Venkatesan, Advocate sr 62310.
+1 Cc to Mr.L.P.Shanmuga Sundaram , Advocate sr 62290.

VD(CO)
sp(06/10/2017)

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