



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2014

Coram:

THE HONOURABLE MR.JUSTICE **T.RAJA**

W.P. (MD) No.20698 of 2014

S.Viswaroobakesavan

:Petitioner

vs.

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

2.The President,
SP.SPL 63, Uppathur Primary Agriculture,
Co-operative Credit Society Limited,
Sattur Taluk, Virudhunagar District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the second respondent to consider and pass orders on the petitioner's representation dated 17.11.2014 for disburse the arrears of subsistence allowance and request of reinstate the petitioner in the service within the time stipulated by this Court in this writ petition and pass such other and further orders as this Court may deem fit and necessary under the circumstances of the case.

For Petitioner : Mr.I.Suthakaran

For Respondents : Mrs.S.Bharathi

Government Advocate

O R D E R

The Writ Petition has been filed by S.Viswaroobakesavan seeking a prayer for issuance of writ of mandamus directing the second respondent to consider and pass orders on the petitioner's representation dated 17.11.2014.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The petitioner was directed to face departmental enquiry under charge memo dated 26.09.2013. Finally, the petitioner was issued with the order of dismissal. Aggrieved by the same, the petitioner filed Revision Petition No.2 of 2014 in Na.Ka.No.343/14 before the first respondent and the first respondent in his order dated 31.10.2014 allowed the revision directing the second respondent to follow the principles of natural justice. Therefore, the order of dismissal was cancelled. The case was remanded back to the second respondent. The second respondent has not passed any order. After waiting for longer time, the petitioner made a representation dated 17.11.2014 to the second respondent with the request to disburse arrears of subsistence allowance and salary with further request to re-instate him into service in view of the order dated 31.10.2014. The second respondent has not considered the representation of the petitioner, which prompted the petitioner to come to this Court.



4. On earlier occasion. the learned Government Advocate took notice and sought for time to take instruction.

5. Today when the matter is taken up for hearing, Mrs. Bharathi, learned Government Advocate by producing the letter dated 19.12.2014 submitted that the request of the petitioner for payment of subsistence allowance should be duly complied with as per his entitlement within a period of one week. Further request of the petitioner to re-instate him into service would be considered within a period of two weeks.

6. Recording the statement of the learned Government Advocate, this Writ Petition is disposed of. It is needless to mention that the payment of subsistence allowance including the arrears of salary shall be paid to the petitioner within a period of one week from the date of receipt of a copy of this order and the request for reinstatement shall be considered within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

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To

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

2. The President, SP.SPL 63, Uppathur Primary Agriculture,
Co-operative Credit Society Limited,
Sattur Taluk, Virudhunagar District.

+1cc to Special Government Pleader SR No.68617

+1cc to Mr. I. Suthukaran, Advocate Sr No.68420

ORDER MADE IN
W.P. (MD) No.20698 of 2014
22.12.2014

RG.07.01.2015 2P/5C.