



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A(MD)No.833 of 2017
and
C.M.P. (MD) .No.5719 of 2017

A.Chinnachamy .. Appellant/Petitioner
vs.

1.The Deputy Registrar of Co-operative Societies,
A-2373 A.Puthupatti Primary Agricultural
Credit Society,
Jawahar Street,
Thirumangalam,
Madurai District.

2.The President,
Executive Committee,
A-2373 A.Puthupatti Primary Agricultural Credit Society,
Nadupatti,
Usilampatti Taluk,
Madurai District.

... Respondents

Prayer : Writ Appeal is filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.(MD) No.8036 of 2015 dated 04.06.2015.

Prayer in WP(MD) . 8036/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, by calling for the entire records pertaining to the Impugned order passed by the 2nd respondent dated 20.04.2015 and quash the same and consequently direct the respondents to reinstate the petitioner into service so as to serve as a Clerk at 2nd Respondent s Society.

For Appellant : Mr.R.Anand

For Respondents : Mr.T.S.Mohammed Mohideen,AGP

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

<https://hcservices.courts.gov.in/hcservices/>
The appellant challenged the suspension order before the writ Court with a grievance that review was not conducted by the second



respondent inspite of the expiry of about two years. The writ petition was dismissed on the ground that suspension was not a punishment and that the writ petition is not maintainable in view of the judgment in ***K.Marappan Vs. Deputy Registrar of Co-operative Societies and The Special Officer, Vattur Co-operative Bank*** reported in **2006(4) CTC 689**.

2.The Hon'ble Supreme Court recently made it clear that the employer has to review the suspension once in three months. We are of the view that the appellant is entitled to succeed.

3.We direct the respondents to review the suspension of the appellant and pass appropriate orders on merits and as per law. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.

4.The writ appeal is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Co)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Deputy Registrar of Co-operative Societies,
A-2373 A.Puthupatti Primary Agricultural Credit Society,
Jawahar Street, Thirumangalam, Madurai District.

2.The President,
Executive Committee, A-2373 A.Puthupatti Primary Agricultural
Credit Society,
Nadupatti, Usilampatti Taluk, Madurai District.

+1cc to M/S.R.ANAND, Advocate SR.No.63763

+1cc to Special Government Pleader, SR.No.63942

Arul / Skm

MAS/SV/SAR2:26.07.2017:2P-5C

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and
C.M.P. (MD) .No.5719 of 2017
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