

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2018

CORAM

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

W.P.No.8534 of 2018

K.Paramasivam

..Petitioner

.Vs.

1. The Revision Authority/Joint Registrar of Cooperative Societies, Salem Region, Room No.410, Collectrate Buildings, Salem-636 001.

2. No.SS.73, Perumampatty Primary Agricultural Cooperative Credit Society Ltd., rep.by its President, Sivathapuram-636 307, Salem District.

..Respondents

PRAYER: Writ petition filed under article 226 of the Constitution of India issue a Writ of Mandamus directing the 1st respondent authority to dispose of the Revision application dated 21.01.2017 on merits and in accordance with law within a reasonable period that may be fixed by this Hon'ble Court.

Petitioner : Mr.R.Krishnamoorthy

Respondents : Mr.L.P.Shanmugasundaram

Special Government Pleader (Cooperative)

ORDER

The relief sought for in this writ petition is for a direction to direct the first respondent to dispose of the Revision application submitted by the writ petitioner on 21.01.2017 on merits and in accordance with law.

2.The petitioner was working as the Secretary of the 2nd respondent Cooperative Society with effect from 01.07.1983. On initiation of the departmental disciplinary proceedings, the writ petitioner was placed under suspension from service on 29.02.2016 on the ground that he had acted against the interest of the Society. However, the disciplinary proceedings initiated against the writ petitioner was proceeded with and on receipt of the enquiry report, the disciplinary authority inflicted the

major penalty of dismissal of service on the writ petitioner. Challenging the above dismissal order, the writ petitioner preferred the revision petition under Section 153 of the Tamil Nadu Cooperative Societies Act, 198, before the 1st respondent.

3. The learned counsel appearing on behalf of the writ petitioner states that the 1st respondent had already issued notice to the Cooperative Society in respect of the revision petition filed and the arguments were also concluded by the respective parties on 05.05.2017 itself. However, the first respondent has not passed final orders in the revision petition. Thus, the petitioner is constrained to move the present writ petition under Article 226 of the Constitution of India. This being the factum of the case, the first respondent is directed to consider the revision petition submitted by the writ petitioner on 21.01.2017, and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

KP
To

1. The Revision Authority/Joint Registrar of Cooperative Societies, Salem Region, Room No.410, Collectrate Building, Salem-636 001.

2. No.SS.73, Perumampatty Primary Agricultural Cooperative Credit Society Ltd., rep.by its President, Sivathapuram-636 307, Salem District.

+1cc to Mr.R.Krishnamoorthy, Advocate in sr.no.26714
+1cc to Mr.L.P.Shanmugasundaram, Advocate in sr.no.27209
+1cc to Government Pleader, in sr.no.27737

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RR(CO)
CS/28/04/18