

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2018

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.Nos.12556 to 12559 of 2018

and

W.M.P.Nos.14709 to 14712 of 2018

K.Asokan

R.Palani

K.Ganesan

R.Chinnasamy

..Petitioner in W.P.No.12556/2018

..Petitioner in W.P.No.12557/2018

..Petitioner in W.P.No.12558/2018

..Petitioner in W.P.No.12559/2018

.. Vs ..

1.The Joint Registrar of Co-op. Societies,
Krishnagiri Region, Krishnagiri District.

2.The Deputy Registrar of Co-op. Societies,
Krishnagiri Circle, Krishnagiri District.

3.The Administrator/Co-op. Sub Registrar,
S.615, Kundalapatty Primary Agricultural,
Co-op. Credit Society, Kundalapatty Post,
Krishnagiri Taluk & District.

.. Respondents in all W.Ps.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 3rd respondent from proceeding further with subsistence allowance recovery order dated 13.04.2018 till the disposal of revision appeal dated 09.05.2018 pending on the file of the 1st respondent.

For Petitioners : Mr.T.Sundaravadanam (in all W.Ps.)

For R1 & 2 : Mr.L.P.Shanmugasundaram
Special Government Pleader

For R3 : Ms.T.Girija

C O M M O N O R D E R

By mutual consent of both sides, the Writ Petitions are taken up for final disposal at the admission stage itself.

2. These Writ Petitions are filed seeking for a direction to forbear the 3rd respondent from proceeding further with subsistence allowance recovery order dated 13.04.2018 till the disposal of revision appeal dated 09.05.2018 pending on the file of the 1st respondent.

3. Four petitioners had been placed under suspension for various periods of time. They faced departmental enquiries. During the period of suspension, they were paid subsistence allowance. On conclusion of the departmental proceedings, they have been reinstated into service. After reinstatement, the impugned order came to be passed on 13.04.2018, directing the petitioners to re-pay the subsistence allowance already paid to them.

4. Challenging this order, the learned counsel for the respondent states that the petitioners have filed Revision Petitions as provided under Act. These Writ Petitions are consequently re-agitation of the same issue once again before this forum. Once a Revision has been filed and it is pending before competent Authority, any protection sought for is to be obtained only from that particular Authority.

5. The learned Special Government Pleader appearing for the respondents 1 and 2 stated that the impugned order does not contain any averments to the effect that the subsistence allowances sought to be recovered shall be deducted from the salary of the petitioners. That statement of the learned counsel for the respondents is recorded. Revision Petitions filed before the competent Authority have to be disposed of on or before 31.08.2018.

6. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

gsa

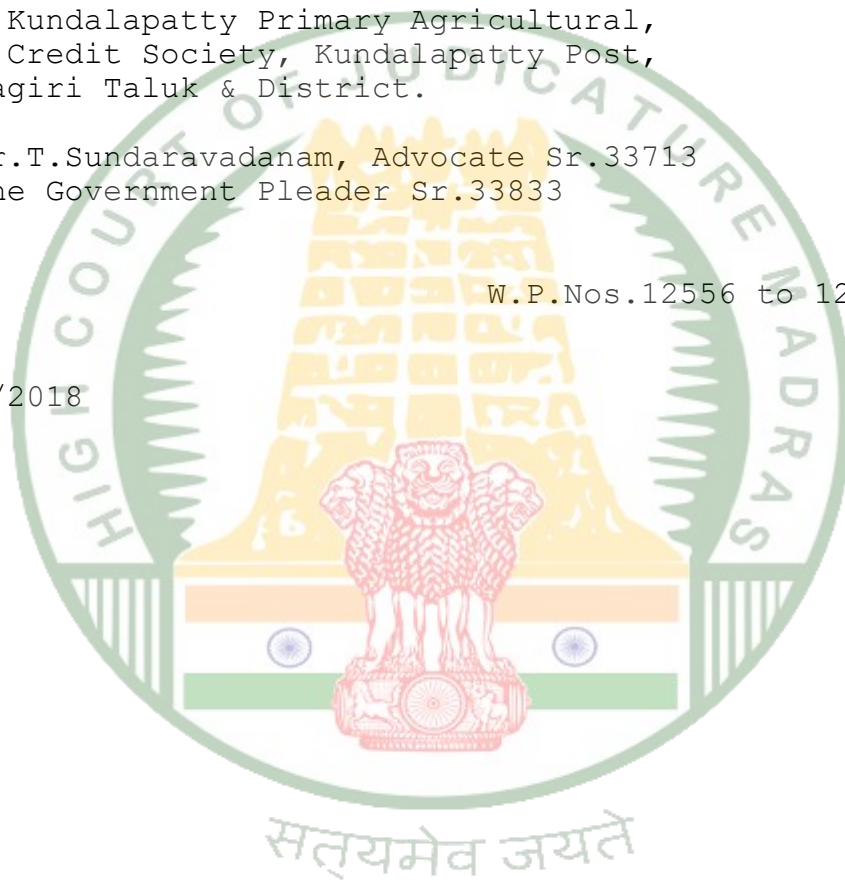
To

- 1.The Joint Registrar of Co-op. Societies,
Krishnagiri Region, Krishnagiri District.
- 2.The Deputy Registrar of Co-op. Societies,
Krishnagiri Circle, Krishnagiri District.
- 3.The Administrator/Co-op. Sub Registrar,
S.615, Kundalapatty Primary Agricultural,
Co-op. Credit Society, Kundalapatty Post,
Krishnagiri Taluk & District.

+lcc to Mr.T.Sundaravadanam, Advocate Sr.33713
+lcc to the Government Pleader Sr.33833

W.P.Nos.12556 to 12559 of 2018

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