

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM:

THE HON'BLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.15207 of 2018

Ganesan

... Petitioner

Vs.

The Joint Registrar of Co-operative Societies,
Thiruvarur,
Thiruvarur District.

.... Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue WRIT OF MANDAMUS directing the respondent herein to dispose of the petitioner Appeal dated 28.03.2018 against termination order passed by the President Z-376, Nannilam Primary Agriculture Co-operative Credit Society vide his proceedings Na.Ka.No.1/2016 dated 21.04.2017.

For petitioner :Mr.T.Muruganantham

For Respondent :Mr.L.P.Shanmuasundaram
Special Government Pleader (Co.op)

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent herein to dispose of the petitioner's Appeal dated 28.03.2018 against termination order passed by the President Z-376, Nannilam Primary Agriculture Co-operative Credit Society vide his proceedings Na.Ka.No.1/2016 dated 21.04.2017.

2. Mr.L.P.Shamugasundaram, learned Special Government Pleader (Co.op)takes notice for the respondent.

3. By consent of both sides,this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The grievance of the petitioner is that the petitioner has filed a appeal before the respondent on 28.03.2018, against the dismissal order passed by the President, Z-376, Nannilam Primary Agriculture Co-operative Credit Society on 21.04.2017. Since the said appeal is pending till date, the petitioner has

come forward with this Writ Petition seeking for the aforesaid relief.

5. The learned Special Government Pleader who accepts notice on behalf of the respondent would submit that since the petitioner has not filed the appeal in a prescribed format and the appeal itself is in belated stage, the authority has not taken action on the same.

6. The learned counsel appearing for the petitioner would submit that the petitioner may be permitted to file fresh appeal, in a prescribed format, within the time stipulated and the respondent may be directed to pass orders on the same.

7. Considering the facts and circumstances of the case and also considering the submissions made, this Writ Petition is disposed of with a direction to the petitioner to file an appeal in a prescribed format, within a period of three weeks from today on receipt of a copy of this order and if such appeal is filed in a prescribed format, the respondent shall taking a lenient view on the limitation in filing the appeal in as much as the petitioner could not have delayed the filing the appeal against an order of his removal from service, deliberately, entertain and disposed of the same within a period of four weeks from the date of receipt of the same, taking an informed and considered decision by a speaking order and serve a copy of the same to the petitioner. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

The Joint Registrar of Co-operative Societies,
Thiruvarur,
Thiruvarur District.

+1cc to Mr.T.Muruganantham, Advocate Sr.39358

W.P.No.15207 of 2018

srg 11/07/2018