

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.29090 of 2018 and
WMP.Nos.34018 and 34019 of 2018

1. K.Kannabiran
 2. D.Vijayarangan
 3. J.Radhakrishnan
- ... Petitioners

Vs

1. The Deputy Registrar of Cooperative Societies,
Vridhachalam Circle, Vridhachalam - 606 001,
Cuddalore District.
 2. The President,
I.I.543, Chinna Pandarakuppam Primary
Agricultural Cooperative Credit Society,
Sembalakurichi Village,
T.Gopurapuram Post - 606 003.
Virudhachalam Taluk,
Cuddalore District.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the entire records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.1652/2018 Tho.Vae.Sa, dated 17.10.2018 and quash the same.

For Petitioners : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

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O R D E R

Mr.L.P.Shanmugasundaram, learned Additional Government Pleader takes notice on behalf of the respondents.

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

3.This Writ Petition has been filed to quash the impugned

order passed by the first respondent in proceedings Na.Ka.1652/2018 Tho.Vae.Sa. Dated 17.10.2018, directing the second respondent to suspend the petitioners from service, take disciplinary proceedings and recover the loan obtained.

4. The learned counsel for the petitioners would submit that based on the order dated 17.10.2018, of the first respondent, the second respondent contemplating to suspend the petitioners. Hence, they have come forward with this writ petition seeking for the relief stated supra, as the first respondent has no authority to pass the impugned order.

5. The learned Special Government Pleader (Co-op) who accepts notice on behalf of the respondents would submit that the order impugned in this Writ Petition is only an intra-office communication, which was addressed by the first respondent to the second respondent and no order has been passed suspending the petitioners and hence the Writ Petition is premature.

6. From the submissions made, it appears that pursuant to the order impugned, the petitioners have not been proceeded with. The same as such has not visited the petitioners with any adverse consequences affecting his legal right. The second respondent has necessary jurisdiction to proceed against the petitioner in accordance with law. Therefore, this Writ petition filed to prevent the second respondent from proceeding in any manner pursuant to the impugned order, appears to be premature. Hence, I am not inclined to entertain the same at this stage and injunct the second respondent not to proceed against the petitioner.

7. In view of the same, this Writ Petition stands dismissed. However, it is made clear that if any order is passed contrary to law, affecting their legal rights, it goes without saying that the reluctance of this Court to entertain the prayer made by the petitioner at this stage, shall not stand in their way to challenge such action of the respondent, in subsequent proceedings. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Deputy Registrar of Cooperative Societies,
Vridhachalam Circle, Vridhachalam - 606 001,
Cuddalore District.
2. The President,
I.I.543, Chinna Pandarakuppam Primary
Agricultural Cooperative Credit Society,
Sembalakurichi Village,
T.Gopurapuram Post - 606 003.
Virudhachalam Taluk,
Cuddalore District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No. 76355

W.P.No.29090 of 2018

CP (CO)
GN(30/11/2018)



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