



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twentieth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR

WMP(MD) Nos.7941 and 6947 of 2018

IN

WP(MD) No.7233 of 2018

WMP (MD) No.7941/18 :-

D.SELVARAJ

SECRETARY (UNDER SUSPENSION)
THE VENKANJI PRIMARY AGRICULTURAL
CO-OPERATIVE CREDIT SOCIETY LTD.,
Y-84, KOLLEMCODE POST,
KANYAKUMARI DISTRICT

... PETITIONER / 2nd RESPONDENT /
2nd RESPONDENT

Vs

1 THE VENKANJI PRIMARY AGRICULTURAL CO-OPERATIVE
CREDIT SOCIETY LTD.,
y-84 , KELLEMCODE POST ,
KANYAKUMARI DISTRICT

REPRESENTED BY ITS PRESIDENT ... RESPONDENT / PETITIONER /
PETITIONER

2 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
NAGERCOIL,
KANYAKUMARI DISTRICT.

... RESPONDENT/1st RESPONDENT /
1st RESPONDENT

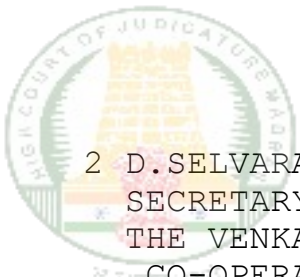
WMP (MD) No.6947/18 :-

THE VENKANJI PRIMARY AGRICULTURAL
CO-OPERATIVE CREDIT SOCIETY LTD.,
Y-84, KELLEMCODE POST,
KANYAKUMARI DISTRICT
REPRESENTED BY ITS PRESIDENT

... PETITIONER/PETITIONER

Vs.

1 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
<https://hcservices.ecourts.gov.in/hcservices/>
NAGERCOIL
KANYAKUMARI DISTRICT



2 D.SELVARAJ
 SECRETARY(UNDER SUSPENSION)
 THE VENKANJI PRIMARY AGRICULTURAL
 CO-OPERATIVE CREDIT SOCIETY LTD.,
 Y-84, KOLLEMCODE POST,
 KANYAKUMARI DISTRICT

... RESPONDENTS/RESPONDENTS

Prayer in WMP(MD). 7941/ 2018 :

To vacate the order passed in WMP(MD)No.6947 of 2018 in WP(MD) No.7233 of 2018 dated 04.04.2018.

PRAYER IN WMP(MD)No.6947/18:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an Ad Interim Stay of the impugned proceedings of the 1st respondent in Na.Ka.5277/2017 Sa Pa dated 08.03.18 (received on 26.03.18) pending disposal of the present Writ Petition.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.S.SIVAKUMAR, Advocate on behalf of the petitioner in WMP(MD)No.7941/18, and for the Respondent 2 in WMP(MD) No.6947/18 and of Mr.M.E.ILANGO, Advocate for the Respondent 1 in WMP(MD)No.7941/18 and the petitioner in WMP(MD)No.6947/18, and and of the court made the following order:-

Though vacate stay petition has been filed, when the vacate stay petition is taken up for hearing, the learned counsel for the writ petitioner would submit that before the Enquiry Officer, the enquiry proceedings is going on and considerable progress has been made in the enquiry proceedings and it is posted tomorrow (21.04.2018) at the final stage of the examination of witnesses and within a shorter period, the enquiry would be over and the result would be given as to whether the petitioner is guilty or not.

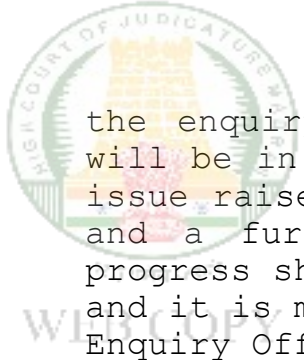
2. However, the learned counsel for the respondent/vacate stay petitioner submitted that though he was suspended on 17.10.2017, the writ petitioner Management has not paid the subsistence allowance to the employee/second respondent so far.

3. Though this complaint made by the second respondent is disputed by the learned counsel for the writ petitioner, this Court is of the view that if the subsistence allowance is not paid to the 2nd respondent so far, the same shall be paid by the writ petitioner immediately.

4. Hence, there shall be a direction to the writ petitioner to pay the subsistence allowance to the second respondent, if it is not already paid, immediately, within one week from today.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Let the second respondent cooperate for early completion of



the enquiry and once such enquiry is over, the second respondent will be in a position to know, where he stands and accordingly, the issue raised herein can be resolved in the interest of both parties and a further direction is issued that the enquiry already in progress shall be completed within a period of two months from today and it is made clear that the 2nd respondent shall cooperate with the Enquiry Officer for such early completion of the enquiry.

6. With these directions, the vacate stay petition is disposed of. The stay granted already is made absolute. The main writ petition be listed for final hearing during the first week of July 2018.

sd/-
20/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRESIDENT,
VENKANJI PRIMARY AGRICULTURAL CO-OPERATIVE
CREDIT SOCIETY LTD.,
7-84 , KELLEMCODE POST ,
KANYAKUMARI DISTRICT

2 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
NAGERCOIL,
KANYAKUMARI DISTRICT.

+1. C.C. to M/S.M.E.ILANGO Advocate SR.No.6759
+1 CC TO Mr. S.SIVAKUMAR , Advocate, Sr.No. 6761

RR
JAM/24/04/2018/ PMI/ASVM/ 3P-5C

ORDER
IN
WMP(MD) Nos.7941 and 6947 of 2018
IN
WP(MD) No.7233 of 2018
Date :20/04/2018