



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.01.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.20055 of 2017
and
WMP (MD) No.16314 of 2017

S.Jeganathan

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Society,
Tuticorin, Tuticorin District.
2. The Deputy Registrar of Cooperative Society,
Kovilpatti, Tuticorin District.
3. The President,
O.1654, Iyyaneri Primary Agricultural
Cooperative Credit Society Limited,
G.V.N.College Post, Via Kovilpatti,
Tuticorin District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in his proceedings dated 16.10.2017 and quash the same as the same is passed without jurisdiction and consequently direct the respondents to permit the petitioner to continue his service with all monitary benefits.

For Petitioner : Mr.Ananth C.Rajes
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The writ petitioner was working as the Secretary of the third respondent society. The writ petitioner was suspended by order dated 16.10.2017 issued by the third respondent.

2.The learned counsel appearing for the writ petitioner placed reliance on the instructions issued by the Registrar of Cooperative Societies dated 09.02.2016 and contended that the President of the society has no authority to suspend the Secretary of the society. The impugned order is thus without jurisdiction on the very face of it. The impugned order is therefore quashed.



3. The respondents are directed to permit the petitioner to continue to be in service. The writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar of Co-operative Society,
Tuticorin, Tuticorin District.
2. The Deputy Registrar of Cooperative Society,
Kovilpatti, Tuticorin District.

+ 1 CC TO Mr.ANANTH C.RAJESH, ADVOCATE IN SR No. 42137

SKM

TE/SV-MMS/SAR-1 : 02/02/2018 : 2P/4C

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