



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.8020 of 2013
and
M.P (MD) Nos.2 and 3 of 2013

C.Gunasekar,
Accountant,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.

... Petitioner

-vs-

1. The Joint Registrar of Co-operative Societies,
Pudukkottai Region,
Pudukkottai.
2. The Deputy Registrar of Co-operative Societies,
Aranthangi Circle,
Aranthangi,
Pudukkottai District.
3. The Administrator,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.
4. The Enquiry Officer,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.
5. S.Tamilmaran,
Administrator,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.



6. T.Balasubramanian,
Enquiry Officer,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the enquiry report dated 29.4.2013 passed by the fourth respondent as well as the consequential notice dated 30.4.2013 issued by the third respondent and to quash the same and consequently to direct the fourth respondent to conduct an enquiry afresh in accordance with law.

For Petitioner	: No appearance
For Respondents	: Ms.V.P.M.Vaishnavi
1 and 2	Government Advocate
For Respondent-3	: M/s.T.Ravichandran
For Respondents	: No appearance
4,5 and 6	

O R D E R

The domestic enquiry report, dated 29.4.2013 and the consequent show-cause notice, dated 30.4.2013 issued, are under challenge in this Writ Petition.

2.None appeared on behalf of the Writ Petitioner.

3.The learned counsel for the third respondent made a submission that on account of the interim order granted in this Writ Petition, the final order has not been passed. However, the Writ Petitioner was re-instated into service and thereafter, he had committed some other irregularities and the Disciplinary Authority has initiated action against him and after conducting an enquiry, he was dismissed from service. Challenging the order of dismissal, the Petitioner preferred a Writ Petition in W.P.No.323 of 2014 and the Writ Petition was also dismissed. This being the factum of the present Writ Petition, no further adjudication is required in this Writ Petition.

4.Even otherwise, the present Writ Petition is filed challenging the enquiry report and the consequent show-cause notice in the departmental disciplinary proceedings. A Writ against a show-cause notice cannot be entertained in view of the fact that the Writ Petitioner has to file his explanations/objections on the enquiry report and only after passing of the final order, the cause of action would arise. Thus, even on merits, the present Writ Petition



is not a fit case for considering the grounds raised in this Writ Petition.

5. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar of Co-operative Societies,
Pudukkottai Region,
Pudukkottai.
2. The Deputy Registrar of Co-operative Societies,
Aranthangi Circle,
Aranthangi,
Pudukkottai District.
3. The Administrator,
M.M.23, Alangudi Agricultural Producers Cooperative
Marketing Society Limited,
No.7, Gandhiji Road,
Alangudi,
Pudukkottai District.

+ 1 CC TO Mr.D.SADIQ RAJA, ADVOCATE IN SR No. 51163
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 51335

VSN

TE/CVC/SAR-3 : 08/03/2018 : 3P/6C

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