

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WP.No.1 of 2008

V.Selvakesavan

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.

2.The Special Officer,
I.I. 95, Gingee Co-operative.Agricultural Bank,
Gingee, Villupuram Distric. ... Respondents

Prayer: Civil Revision Petition filed under Article 226 of the Constitution of India to call for the entire records relating to the impugned order passed by the 1st respondent in his letter Na.Ka.No.10146/2007/Sa.Pa dated 06.12.2007 and quash the same consequently directing the 1st respondent to entertain the revision filed by the petitioner u/s.153 of TamilNadu Co-operative Societies Act, 1983 on 20.11.2007 without insisting the question of delay in filing the above revision and dispose the same on merits.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.L.P.Shanmuga Sundaram,
Special Government Pleader (Co-op)

O R D E R

The petitioner was terminated from service by the 2nd respondent without any enquiry. Aggrieved over the same, he has filed a revision under Section 153 of the TamilNadu Co-operative Societies Act, 1983 before the 1st respondent. However, the 1st respondent has rejected the same on the ground that it has been barred by limitation. Aggrieved over the same, the petitioner is before this Court.

2. Considering the factual circumstances it is noted that he under went cardiac surgery and that he was advised to be admitted as inpatient in CMC Hospital, Vellore, he could not file the revision in time. Since the matter involves capital punishment, this Court is inclined to give a direction to the 1st respondent to consider the matter on merits rather than

rejecting it on technicalities. The order passed by the 1st respondent in Na.Ka.No.10146/2007/Sa.Pa dated 06.12.2007 is set aside and the matter is remanded back to the appellate authority.

3. The 1st respondent is directed to afford full opportunity of hearing to the petitioner and pass a reasonable order within a period of six weeks from the date of receipt of a copy of this order. Accordingly, the writ petition is allowed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bri
To

- 1.The Joint Registrar of Co-operative Societies,
Villupuram Region,
Villupuram, Villupuram District.
- 2.The Special Officer,
I.I. 95, Gingee Co-operative.Agricultural Bank,
Gingee, Villupuram District.

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A.SK(24/01/2020)



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