

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2019

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.16032 of 2019 &
WMP.No.15801 of 2019

C.Jeganathan

.. Petitioner

Vs.

- 1.The Joint Registrar of Co-operative Societies,
Tiruppur Region, Tiruppur,
Tiruppur District.
- 2.The Deputy Registrar of Co-operative Societies,
Dharapuram Circle, Dharapuram,
Tiruppur District.
- 3.The President,
K.328, Chinnakumarapalayam Primary
Agricultural Co-operative Credit Society,
Chinnkumarapalayam Village,
Kurichikottai Post- 642 112,
Udumalpet Taluk,
Tiruppur 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 third respondent in his proceedings Nil. Dated 23.05.2019 and quash the same.

For Petitioner .. Mr.C.Prakasam

For Respondents .. Mr.D.Venkatachalam, AGP

ORDER

This writ petition has been filed seeking for issuance of a Certiorari to call for the entire records relating to the impugned order passed by the third respondent in his proceedings Nil. dated 23.05.2019 and quash the same.

2. It appears that the third respondent issued show cause notice dated 23.05.2019 against the petitioner, proposing to dismiss him from service on the basis of proved mis-conduct against him. The petitioner was directed to give his explanation within seven days and if no explanation was offered within the stipulated period, further action would be taken as proposed in the said show cause notice. This is the subject matter of the challenge in this writ petition.

3. This Court is unable to appreciate as to how the present writ petition is maintainable against the second show cause notice issued by the 3rd respondent Society since the show cause notice merely called upon the petitioner to submit his explanation. Instead of offering his explanation in response to show cause notice, the petitioner has unnecessarily approached this Court by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. This Court does not find any worthwhile ground in the writ petition to entertain the same at preliminary stage of show cause notice. This Court does not also feel that the case on hand does fall within any exceptional category for it to be entertained at this stage.

4. Therefore, this Court is of the view that the writ petition is rather too pre-mature and therefore, the same cannot be entertained by this Court. Hence, this writ petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar(CJ.conf)

//True copy//

Sub Assistant Registrar

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To

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

2.The Deputy Registrar of Co-operative Societies,
Dharapuram Circle, Dharapuram,
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W.P.No.16032 of 2019

GJ (CO)
GMY (01/07/2019)



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