

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23503 of 2019

Ezhil Bharathi

...Petitioner

vs.

1.The Director of Audit for Milk Cooperatives,
Chennai - 4.

2.The Registrar of Co-Operative Societies,
Chennai Region,
Chennai - 600 010.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent pertaining to the order of suspension issued in R.C.No.455/2019/A1 dated 12.03.2019 and quash the same and to direct the respondents herein to reinstate the petitioner and to grant her all consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader-Coop

ORDER

The Writ Petition has been filed by the petitioner to quash the order of suspension issued in R.C.No.455/2019/A1 dated 12.03.2019 passed by the first respondent and to direct the respondents herein to reinstate the petitioner and to grant her all consequential benefits.

2.The case of the petitioner is that the petitioner is working as Cooperative Sub Registrar/Assistant Director (Audit), Kancheepuram -Tiruvallur District Cooperative Milk Producers Union. Based on a criminal complaint, the petitioner was placed under suspension and subsequently, the complaint was closed. However, the petitioner suspension was not revoked. Challenging the same, the petitioner filed a Writ Petition before this Court.

3.The learned counsel appearing for the petitioner would submit that though the petitioner was placed under suspension based on a criminal complaint given by one Mr.Pandian, Zone Deputy Registrar, Avin, Chennai and the same was closed at the CSR stage. The learned counsel appearing for the petitioner would assure that there is no criminal complaint pending against the petitioner till date and there is no legal impediment to revoke the suspension order. Hence, he prayed for appropriate orders.

4.Considering the facts and circumstances of the case, initially the petitioner was placed under suspension based on a criminal complaint and the same was closed at the CSR stage. However, I am not inclined to interfere with the suspension order passed by the first respondent. Considering the assurance made by the learned counsel appearing for the petitioner that there is no criminal complaint pending against the petitioner till date, I am inclined to issue direction to direct the respondents to revoke the suspension, if there is no criminal complaint or any departmental enquiry pending against the petitioner.

5.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

pam

To

1.The Director of Audit for Milk Cooperatives,
Chennai - 4.

2.The Registrar of Co-Operative Societies,
Chennai Region,
Chennai - 600 010.

+1cc to Mr.M.Ravi, Advocate SR.89075

+1cc to the Spl Government Pleader (CO-OP) SR.89617

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PVS (CO)
CB(03/12/2019)