

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.3754 of 2017

and

W.M.P.Nos.3805 and 3806 of 2017

R.Lalli

.. Petitioner

Vs.

1.The Registrar of Co-Operative Societies,
N.V.Natarajan Buildling,
E.V.R.High Road,
Kilpauk, Chennai - 600 010.

2.The Deputy Registrar / Managing Director,
Nilgiris Co-operative Marketing Society,
Udhagamandalam,
The Nilgiris District.

3.The Nilgiris Co-operative Marketing Society,
Nellithurai Road,
Mettupalayam - 641 301,
Coimbatore District.

4.Mr.A.Shanavaz

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records on the file of the 1st respondent in Na.Ka.No.90960/2008/CCs2 dated 13.01.2017 and the 2nd respondent's order in Na.Ka.No.22/2010.Pa.tho, dated 08.02.2017 and quash the same.

For Petitioner : Mr.K.V.Sajeew Kumar

For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader (Co.Op)
for R1 to R3

Ms.T.Girija for R4

O R D E R

The writ petitioner in this case challenges the order passed by the first respondent dated 13.01.2017 and the order passed by the second respondent dated 08.02.2017.

2. The first respondent Registrar of Co-operative Societies, has filed a counter, wherein at Paragraph No.10, it is confirmed that both impugned orders stand deferred. The aforesaid paragraph is extracted below:

"10. It is submitted that subsequent to the issuance of impugned order Na.Ka.No.90960/2008/CCs.2 dated 13.01.2017, the 1st respondent, the Registrar of Cooperative Societies has deferred the said order vide his letter Na.Ka.No.90960/2008/CCs.2 dated 08.02.2017. Accordingly the 2nd respondent also deferred his order in Na.Ka.No.22/2010Pa.Tho., dated 08.02.2017. Consequently, the 4th respondent is being paid only the consolidated salary of Rs.15,000/-. Since the impugned orders on the file of the 1st Respondent in Na.Ka.No.90960/2008/CCs2 dated 13.01.2017 and the 2nd respondent's order in Na.Ka.No.22/2010 Pa.Tho, dated 08.02.2017 were now deferred on 08.02.2017 well before the filing of this writ petition, the writ petition and as well as the interim order dated 15.02.2017 have become infructuous."

3. Since the learned counsel for the respondents 1 to 3 is unable to confirm whether deferral of the orders is temporary or permanent, this Court is of the view that this Writ Petition may be disposed of by granting liberty to the petitioner to revive the prayer in the present writ petition at any point of time in future, if it becomes necessary to do so.

4. Recording the submission of the learned counsel for the respondents 1 to 3, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

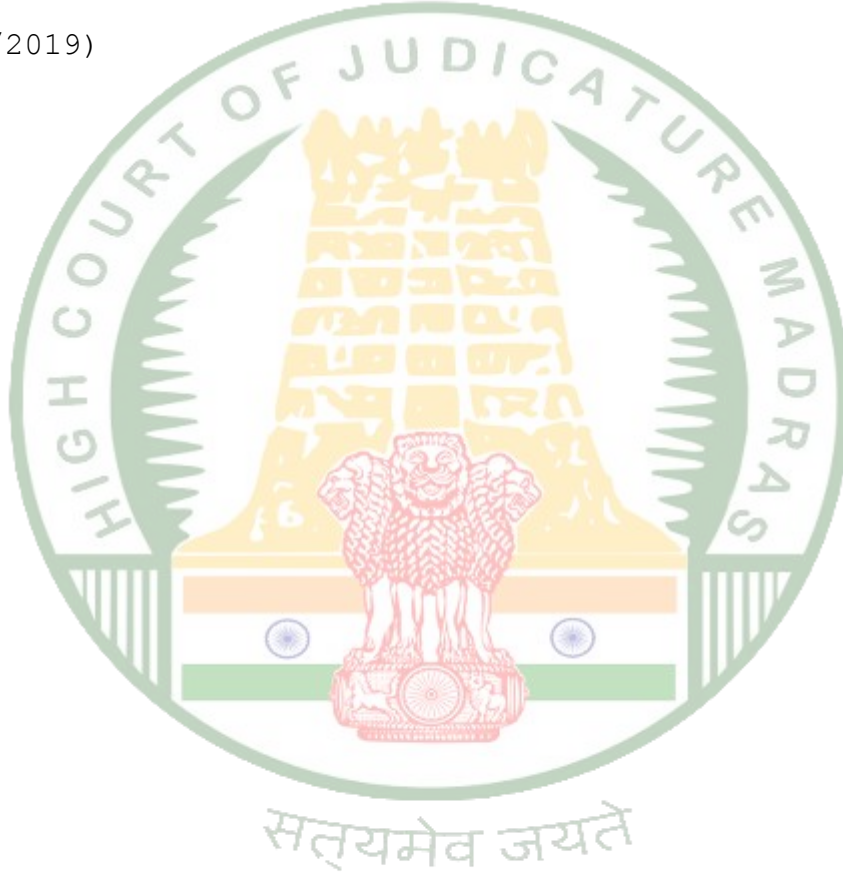
WEB COPY
Sd/-
Assistant Registrar
//True Copy//

Sub Assistant Registrar

+lcc to Mr.K.V.Sajeev Kumar, Advocate, SR.No.36706
+lcc to Mr.L.P.Shanmugasundaram, Advocate, SR.No.37586
+lcc to Ms.T.Girija, Advocate, SR.No.36418
+lcc to the Govt.Pleader, Vide Sr.No.37655

W.P.No.3754 of 2017
and
W.M.P.Nos.3805 and 3806 of 2017

Kak (27/05/2019)



WEB COPY