



EFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.6931 of 2019

S.Bala Subramanian

... Petitioner

vs.

1.The Joint Registrar of Co-op Societies,
Sivagangai, Sivagangai District.

2.The Deputy Registrar of Co-op Societies,
Sivagangai, Sivagangai District.

3.Q.711 Periyakottai Primary Agricultural
Co-operative Credit Society Ltd.,
Periyakottai,
Sivagangai District.

Represented by its President

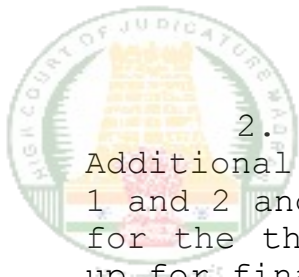
... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and second respondents to instruct the third respondent to reinstate the petitioner in service and to pay him the subsistence allowance and other arrears of salary within the period that may be stipulated by this Court.

For Petitioner	:	Mr.M.Jerin Mathew
For Respondents	:	Mr.C.M.Mari Chelliah Prabhu Additional Government Pleader for R.1 and R.2
	:	Mrs.S.Srimathy Special Government Pleader for R.3

O R D E R

The Writ Petition is filed seeking a direction to the first and second respondents to instruct the third respondent to reinstate the petitioner in service and to pay him the subsistence allowance and other arrears of salary within the stipulated period as fixed by this Court.



2. Heard the learned Counsel for the petitioner, the learned Additional Government Pleader, who takes notice for the respondents 1 and 2 and the learned Special Government Pleader, who takes notice for the third respondent. By consent, the Writ Petitioner is taken up for final disposal at the admission stage itself.

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3. The case of the petitioner is that he was appointed in the third respondent as permanent staff on 17.03.1989. Due to some allegations, he was placed under suspension by the erstwhile President of the third respondent Society, vide proceedings dated 26.07.2013. Subsequently, a charge memo was issued against the petitioner and enquiry was conducted. However, the enquiry report was to the effect that all the charges levelled against the petitioner were not proved. Even thereafter, the third respondent has not taken any steps to reinstate the petitioner. Hence, the petitioner made a representation dated 11.12.2018 to the respondents 1 and 2 seeking to reinstate him into the service. Since the same has not been considered so far, the present Writ Petition has been filed by the petitioner.

4. The learned Additional Government Pleader as well as the learned Special Government Pleader appearing for the respondents would submit that the representation of the petitioner would be considered within a time frame as fixed by this Court.

5. Considering the nature of the prayer as sought for by the petitioner, without going into the merits of the case, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 11.12.2018 seeking to reinstate him in service and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

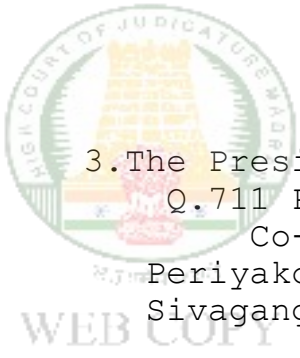
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Sub Assistant Registrar

To

1. The Joint Registrar of Co-op Societies,
Sivagangai, Sivagangai District.

2. The Deputy Registrar of Co-op Societies,
Sivagangai, Sivagangai District.



3.The President,
Q.711 Periyakottai Primary Agricultural
Co-operative Credit Society Ltd.,
Periyakottai,
Sivagangai District.

+1. C.C. to M/S.M.Jerin Mathew, Advocate SR.No. 56454
+1. C.C. to Special Government Pleader SR.No. 56580

W.P (MD) No.6931 of 2019
25.03.2019

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JM/16.04.2019/3P-6C