



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD) .No. 2544 of 2019

and W.M.P. (MD) Nos. 1953 & 1954 of 2019

Appu

: Petitioner

Vs.

1. The Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai - 10.
2. The Joint Registrar of Co-operative Societies,
Tirunelveli Region,
Palayamkottai - 627 002.
Tirunelveli District.
3. The Deputy Registrar of Co-operative Societies,
Cheranmahadevi Circle, Railway Feeder Road,
Cheranmahadevi, Tirunelveli District.
4. The President,
EE 427, Singaneri Primary Agricultural Co-operative
Credit Society, Singaneri & Post,
Nanguneri Taluk, Tirunelveli District.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Certiorari to call for the records pertaining to the impugned suspension order made by the fourth respondent by the proceedings, dated 28.01.2019 and quash the same as illegal.

For Petitioner

: Mr.S.R. Anbarasu

For Respondents-1 to 3

: Mr. Aayiram K.Selvakumar
Additional Government Pleader

For Respondent-4

: Mrs.M.Anbarasi
for M/s.D. Selvanayagam

**ORDER**

This Writ Petition has been filed to quash the impugned suspension order dated, 28.01.2019 passed by the fourth respondent.

2. According to the petitioner, he was served as Secretary of EE-427, Singaneri Primary Agricultural Co-operative Credit Society and the fourth respondent was the elected President of the above said society and he has insisted the petitioner to grant loans to ineligible persons of his choice. Due to the election dispute, an election officer has lodged a complaint before Nanguneri police station and the same was registered in Crime No.108 of 2018, for the offences under Section 171(F), 427 and 291 of I.P.C., against one Jeyakumar and the fourth respondent, by using his influence made the Nanguneri Police to implicate the petitioner also as an accused. Based on the above, the fourth respondent has passed a suspension order, dated 04.04.2018 and the same was revoked by the Administrative officer by his proceedings, dated 16.04.2018. Again, based on the same charges the fourth respondent has passed the impugned suspension order, dated 28.01.2019.

3. According to the petitioner, the said impugned order suffers from violation of principles of natural justice besides arbitrariness and vagueness and non application of mind. Challenging the aforesaid impugned order the instant writ petition is filed by the petitioner to quash the impugned suspension order, dated 28.01.2019 passed by the fourth respondent.

4. It is submitted by the learned Additional Government Pleader that, in the light of the Judgment reported in **2006(4) CTC 689, K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal - 636 001 and another**, the instant writ petition is not maintainable and therefore, the petitioner can approach the concerned authority to seek his remedy for revoking his suspension. It is further submitted that the petitioner has got benefit of interim order pending this writ petition.

5. In view of the aforesaid submission, this Court directs the petitioner to approach the concerned authorities, within a period of two weeks, from the date of receipt of copy of this order. The interim order already granted by this Court is extended till such time.



6. This Writ Petition is dismissed with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
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2. The Joint Registrar of Co-operative Societies,
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Tirunelveli District.
3. The Deputy Registrar of Co-operative Societies,
Cheranmahadevi Circle, Railway Feeder Road,
Cheranmahadevi, Tirunelveli District.

+1 CC to Mr.S.R.ANBARASU, Advocate (SR-77152[F] dated
24/07/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-77250[F] dated 24/07/2019
)

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-77528[F] dated
25/07/2019)

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23.07.2019

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