



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR**

**W.P(MD) .No. 960 of 2019**

Ayesha Banu : Petitioner

Vs.

1. The Joint Registrar of Cooperative Society,  
Tirunelveli Division,  
Tirunelveli District.
2. The Deputy Registrar of Cooperative Societies,  
O/o. the Deputy Registrar of Cooperative Societies,  
Cheranmahadevi, Tirunelveli District. : Respondents

**PRAYER:** This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the first respondent to revoke the order of suspension made against the petitioner vide his proceedings in Na.Ka.No.8893/2017 S.P dated 05.07.2018 by considering the petitioner's representation dated 06.08.2018 in the light of the Judgment of the Hon'ble Supreme Court in Ajay Kumar Choudary Vs Union of India, 2015 3 CTC 119, within the time that may be stipulated by this Court.

For Petitioner : Mr.M. Mahaboob Athief for  
Ajmal Associates

For Respondents : Mr. Aayiram K. Selvakumar,  
Additional Government Pleader  
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**ORDER**

This Writ Petition has been filed by the petitioner to revoke his suspension order, dated 05.07.2018 vide proceedings in Na.Ka.No.8893/2017 S.P passed by the first respondent and also to consider his representation, dated 06.08.2018, in the light of the Judgment of the Hon'ble Supreme Court reported in **Ajay Kumar Choudary Vs Union of India, 2015 3 CTC 119**, within the time frame that may be fixed by this Court.



2. The learned counsel appearing for the petitioner would submit that the petitioner was serving as Secretary of the Aladiyur Primary Agriculture Co-operative Credit Society, Tirunelveli District and in the above said society an audit was conducted by the Registrar and found some irregularities and the petitioner caused loss to the society. Hence, the petitioner was issued the impugned suspension order passed by the first respondent, on 05.07.2018. Aggrieved over the same, the instant writ petition is filed.

3. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the first respondent, to consider the representation of the petitioner, dated 05.07.2018, in the light of the Judgment of the Hon'ble Supreme Court, reported in **Ajay Kumar Choudary Vs Union of India, 2015 3 CTC 119**, within the time frame that may be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents has submitted that the representation of the petitioner will be considered on merits, within a specified time that may be fixed by this Court.

5. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the first respondent to consider the representation of the petitioner, dated 05.07.2018 on merits and in accordance with law, and pass necessary orders, within a period of Six (6) weeks, from the date of receipt of a copy of this order, by taking note of the rendered Judgment cited supra.

6. With the above directions, this Writ Petition is disposed of. No Costs.

Sd/-

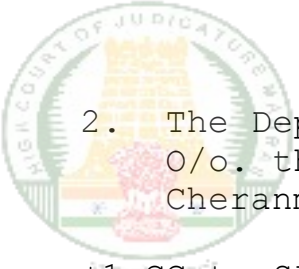
Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS )

To

1. The Joint Registrar of Cooperative Society,  
Tirunelveli District.



2. The Deputy Registrar of Cooperative Societies,  
O/o. the Deputy Registrar of Cooperative Societies,  
Cheranmahadevi, Tirunelveli District.

+1 CC to SPECIAL GOVERNMENT PLEADER ( SR-77249[F] dated  
24/07/2019)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-77488[F] dated  
25/07/2019 )

**W.P(MD) .No. 960 of 2019**  
**23.07.2019**

**ksa**

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