



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19239 of 2019

R.Nallaperumal

... Petitioner

-Vs-

1.The Joint Registrar,
Co-operative Societies,
Dindigul Region,
District Collector Office Campus,
Dindigul District.

2.The Joint Registrar / Managing Director,
Co-operative Societies,
Dindigul Central Co-operative Bank Limited,
Trichy Road, Dindigul,
Dindigul-624 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.1 to pass final order in the petitioner's revision petition pending vide proceedings in Na.Ka.No.4902/2018/Sa.Pa within a stipulated time that may be fixed by this Court.

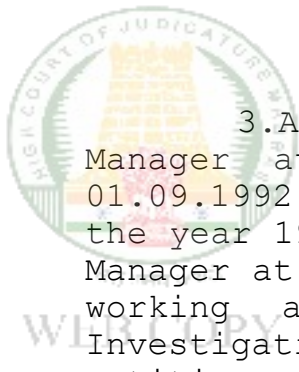
For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.S.Dhayalan,
Government Advocate.

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Heard Mr.R.Karunanidhi, learned counsel appearing on behalf of the writ petitioner and Mr.S.Dhayalan, learned Government Advocate, who accepts notice on behalf of the respondents.



3. According to the writ petitioner, he joined as Assistant Manager at Dindigul Central Co-operative Bank, Nilakottai, on 01.09.1992. He was promoted as Manager to the second respondent in the year 1998 and subsequently, he was promoted as Assistant General Manager at the second respondent office on 17.04.2006. While he was working as Assistant General Manager, the Commercial Crime Investigation Wing (C.C.I.W), Dindigul, had included the writ petitioner as accused in C.C.No.22 of 2017 on the file of the learned Judicial Magistrate Court No.III (CCIW), Madurai, for the offences under Sections 403, 406, 409, 467, 468, 471 and 477 (A) IPC. The writ petitioner had filed Cr.M.P.No.5851 of 2018 to discharge him from the offences. The said petition was allowed on 04.12.2018. Again, another two cases were registered in Crime Nos.4 and 5 of 2017 by C.C.I.W., for the offences under Sections 406, 409, 467, 468, 471 and 477(A) r/w 34 IPC.

4. In view of the same, the second respondent had suspended the writ petitioner on 24.05.2017 and issued charge memo on 29.04.2017. The writ petitioner submitted his explanation on 19.06.2017. The second respondent on receipt of explanation from the writ petitioner, ordered for domestic enquiry, by proceeding dated 11.09.2017. The writ petitioner participated in the enquiry proceedings. Considering the report of the enquiry officer, the second respondent had imposed punishment of demotion from the post of Assistant General Manager to Manager. The writ petitioner challenging the said punishment filed Revision Petition before the first respondent on 22.11.2018. The said Revision Petition was taken on file, vide proceedings in Na.Ka.No.4902/2018/Sa.Pa. The second respondent has also filed counter on 26.03.2019 in the revision petition. However, the first respondent has not passed any order on the revision petition.

5. According to the learned counsel appearing on behalf of the writ petitioner, in view of the punishment imposed against the writ petitioner, the writ petitioner's name was not included in the panel for promotion to the post of General Manager. In view of the same, the writ petitioner has come out with the present Writ Petition.

6. Mr.S.Dhayalan, learned Government Advocate appearing on behalf of the respondents submitted that the revision petition filed by the writ petitioner will be considered on merits.

7. Considering the limited relief sought for in the present Writ Petition and submission of the learned counsel for the writ petitioner and the respondents, the first respondent is directed to pass appropriate orders on the revision petition on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar (CS)

To

1. The Joint Registrar,
Co-operative Societies,
Dindigul Region,
District Collector Office Campus,
Dindigul District.
2. The Joint Registrar / Managing Director,
Co-operative Societies,
Dindigul Central Co-operative Bank Limited,
Trichy Road, Dindigul,
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+1 CC to Mr. R. KARUNANIDHI, Advocate SR-85104.
+1 CC to SPL GP SR-85300.

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