



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. (MD) No. 10649 of 2018

and

W.M.P. (MD) Nos. 9731, 11544 and 22192 of 2018

WEB COPY

R. Balamurugan

... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Melamada Street,
Srivilliputhur, Virudhunagar District.

2. Q-837, Muhavoor Primary Agricultural Co-operative
Credit Society Ltd.,
Rep. through its President,
Muhavoor - 626 111,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari, to call for the records pertaining to the suspension order dated 18.04.2018, on the file of the second respondent and quash the same.

For Petitioner	: Mr. V. O. S. Kalaiselvam
For Respondents	: Mr. A. Muthukaruppan Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the suspension order dated 18.04.2018, passed by the second respondent.

2. According to the petitioner, based on the charges framed against him, a departmental enquiry has already been conducted and the charges levelled against the petitioner have not been proved. During the pendency of the criminal case, the impugned suspension order has been passed against the petitioner.

3. The learned Additional Government Pleader appearing for the respondents submitted that no writ petition can be entertained against the Co-operative Society, in view of the legal principles settled by the Larger Bench of this Court in the case of **K. Marappan Vs. The Deputy Registrar of Co-operative Societies and others** reported in **2006 (4) LW 495 : 2006 (4) MLJ 641**. He further submitted that the petitioner has not made any representation to the authorities to revoke the said suspension order, so far.



4. In view of the above, this Writ Petition is dismissed. No costs. It is open to the petitioner to approach the authorities concerned to make a representation, for revocation of the impugned suspension order in the light of the decision of the Hon'ble Apex Court in the case of **Ajay Kumar Choudhary Vs. Union of India (UOI) and others** reported in **2015 (3) CTC 119**. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Deputy Registrar of Co-operative Societies,
Melamada Street,
Srivilliputhur, Virudhunagar District.
2. The President,
Q-837, Muhavoor Primary Agricultural Co-operative
Credit Society Ltd.,
Muhavoor - 626 111,
Rajapalayam Taluk,
Virudhunagar District.

+1 CC to SPL GP (SR-75416[F] dated 16/07/2019)

+1 CC to Mr.V.O.S.KALAISELVAM, Advocate (SR-75548[F] dated
16/07/2019)

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MK (24.07.2019) 2P 5C