



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No. 3167 of 2014

and

M.P (MD) No. 1 of 2014

S.Balasubramanian

... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Lalgudi Circle,
Lalgudi,
Trichy District.

2.The President,
Ty.Spl.50 Kilyanallur Primary Agricultural
Cooperative Credit Society,
Kiliyanallur,
Mannachanallur Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records on the file of the second respondent in connection with the impugned order of suspension passed by him in his Proceedings No.Nil dated 28.09.2013 and consequential impugned order of extension of suspension passed in Proceedings No.Nil dated 19.12.2013 and quash the both as illegal and ultravires.

For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.D.Muruganandham,
Additional Government Pleader

ORDER

The order of suspension issued by the second respondent Co-operative society in proceedings, dated 28.09.2013 is under challenge in the present writ petition.

2.First of all the order of suspension was issued by the Management of the second respondent Co-operative society, which is not a "State" within the meaning of Article 12 of the Constitution of India. This apart, the learned Additional Government Pleader



appearing on behalf of the respondents made a submission that the writ petitioner was dismissed from service and therefore, the writ petition became infructuous. In view of the fact that the departmental disciplinary proceedings were concluded against the writ petitioner and he was dismissed from service, no further adjudication in respect of the impugned order of suspension is required. Accordingly, the writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

The Deputy Registrar of Co-operative Societies,
Lalgudi Circle,
Lalgudi,
Trichy District.

+1 CC to M/s.SPL GP (SR-82466[F] dated 20/08/2019)

W.P. (MD) No. 3167 of 2014
19.08.2019

am

JM/30.08.2019/2P/3C