



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Wednesday, the Fourth day of December Two Thousand and Nineteen

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PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

WMP (MD) . No.22252 of 2019

in

WP (MD) .No.5938 of 2014

J. Devaraj, Secretary,
TC 26 Kurumbur Primary Agricultural
Co-Operative Credit Society Ltd.,
Kurumbur, Tuticorin District.

...Petitioner/Petitioner

Vs

1 The Registrar of Co-Op., Societies,
170, Periyar EVR High Road, Kilpauk, Chennai - 10.

2 The Joint Registrar of Co-Op., Societies,
Tuticorin Region, Tuticorin.

3 The Deputy Registrar of Co-Op., Societies Tiruchendur
Tuticorin District.

4 TC 26 Kurumbur Primary Agricultural Co-Operative Credit
Society Ltd., Kurumbur, Tuticorin District
Rep. by its President.

...Respondents/Respondents

Prayer in WMP (MD) . No.22252 of 2019:-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, praying this Court to restore the case in WP (MD).5938/2014 dismissed by an order dated 14.8.2019.

Prayer in WP (MD).No.5938 of 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Order dated 03.03.14 made by the 3rd respondent and his consequential order of recovery dated 03.03.14 and quash the same as illegal and consequently direct the 3rd respondent to approve the Petitioner's salary as fixed by the 4th respondent.



ORDER:-

Writ Miscellaneous Petition is coming upon for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.Jerin Mathew, Advocate for the Petitioner and of Mr.S.Dhayalan, Government Advocate on behalf of the respondents No.1 to 3, this Court made the following order:

This petition has been filed by the petitioner seeking to set aside the dismissal order dated 14.08.2019 and restore W.P(MD). No.5938 of 2104 which was dismissed for non-prosecution.

2.The learned Government Advocate appearing for the respondents 1 to 3 has no objection for allowing this petition.

3.Being satisfied with the reasons stated in the affidavit filed in support of the petition, the dismissal order dated 14.08.2019 passed in W.P(MD).No.5938 of 2014 is set aside and W.P (MD)No.5938 of 2014 is restored to file.

4.This petition is ordered accordingly.

5.Registry is directed to post the W.P(MD).No.5938 of 2014 for hearing on 16.12.2019.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

TO

1 The Registrar of Co-Op., Societies,
170, Periyar EVR High Road, Kilpauk, Chennai - 10.

2 The Joint Registrar of Co-Op., Societies,
Tuticorin Region, Tuticorin.

3 The Deputy Registrar of Co-Op., Societies Tiruchendur
Tuticorin District.

Copy to:The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai
(To List the Main cases on 16/12/2019)



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WMP (MD) . No.22252 of 2019

ORDER DATED : 04/12/2019

HEARING DATED : 16/12/2019

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Restoration
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WMP (MD) . No.22252 of 2019
in
WP (MD) .No.5938 of 2014

Giving direction and etc.
as stated within.

NS (CO)
TR (09.12.2019) 3P 5C