

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11284 of 2013

M.Rajendran

... Petitioner

Vs.

- 1.The Secretary to Government,
Cooperation, Food and Consumer Protection Department,
Fort St.George, Chennai - 600 009.
- 2.The Additional Registrar of Co-Operative Societies,
(Marketing, Planning and Development),
Kilpauk, Chennai - 10.
- 3.The Chairman, Common Cadre Authority/
Joint Registrar of Coop. Societies,
Tanjore Region, Tanjore.
- 4.The Special Officer,
Alivalam Primary Agricultural
Co-op Credit Society, Alivalam,
Pattukottai Taluk,
Tanjore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the 3rd respondent in his proceedings Na.Ka.No.8634/2006 Sa.Pa, dated 23.08.2010 and the same was confirmed by the 2nd respondent in his proceedings Na.Ka.86600/2010 Sa.Pa1 dated 25.01.2011 and the same was modified as if the compulsory retirement in G.O.(2D) No.4, Cooperation, Food & Consumer Protection (CN2) Department, dated 04.02.2013 by the 1st respondent and quash the same and consequently direct the respondents to reinstate the petitioner into service with all attendant benefits and other backwages.

For Petitioner : M/s.C.Prakasam

For Respondents: Mr.L.P.Shanmugasundaram for R1 & R2
Special Government Pleader (Co.op.)
Ms.T.P.Savitha for R4
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.8634/2006 Sa.Pa, dated 23.08.2010 and the same was confirmed by the second respondent in his proceedings Na.Ka.86600/2010 Sa.Pa1 dated 25.01.2011 and the same was modified as if the compulsory retirement in G.O.(2D) No.4, Cooperation, Food & Consumer Protection (CN2) Department, dated 04.02.2013 by the first respondent and to quash the same and to consequently direct the respondents to reinstate the petitioner into service with all attendant benefits and other backwages.

2.The learned counsel appearing for the petitioner reports 'no instructions'.

3.The learned Special Government Pleader (Co.op.) submits that during the pendency of this writ petition, the petitioner consented for receiving pensionary benefits and accordingly, the entire pensionary benefits to the tune of Rs.7,31,412/- was settled in favour of the petitioner on 31.01.2017. Hence, nothing survives for adjudication in this writ petition.

4.In view of the submission made by the learned Special Government Pleader (Co.op.), this writ petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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To

1.The Secretary to Government,
Cooperation, Food and Consumer Protection Department,
Fort St.George, Chennai - 600 009.

2.The Additional Registrar of Co-Operative Societies,
(Marketing, Planning and Development),
Kilpauk, Chennai - 10.

3.The Chairman, Common Cadre Authority/
Joint Registrar of Coop. Societies,
Tanjore Region, Tanjore.

4.The Special Officer,
Alivalam Primary Agricultural
Co-op Credit Society, Alivalam,
Pattukottai Taluk,
Tanjore District.

+1 cc to The Government Pleader (Co-op), Sr.No. 30770

+1 cc to M/s.T.P.Savitha, Advocate Sr.No. 30950

W.P.No.11284 of 2013

SAI (CO)
RMP (13/10/2020)



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