



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 29285 OF 2013
and
M.P.Nos.1 & 2 of 2013

K.Malikarjunan

... Petitioner

- Vs -

1. The Joint Registrar of
Cooperative Societies,
Salem 636 007.

2.The Special Officer,
S.167, Mallikundham Primary
Agricultural Cooperative Credit Society Ltd,
Mallikundham Post,
Mecheri (via)
Mettur Taluk,
Salem Dist 636 458.

... Respondents

Writ petition 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 impugned order dated 22.12.2008 passed by the 2nd respondent and the impugned order passed by the 1st respondent in his proceedings Na. Ka. NO.2236/09 Sa. Pa. dated 22.10.2009 and quash the same and consequently direct the 1st respondent herein to reinstate the petitioner in service with all benefits of Back Wages and continuously of service.

For Petitioner : Mr.D.Baskar fortuitous
M/S.R.Thamarai Selvan

For Respondents: T.Girija, AGP for R1
: Mr. L.P.Shanmugasundaram,
Spl.G.P. For R2

ORDER

When the matter was taken up today for hearing, learned counsel appearing for petitioner, submitted that though the writ



petition has been filed challenging the dismissal order passed by the original authority as well as the Appellate Authority, in the counter filed by the respondent it has been stated that the petitioner, without exhausting the revision under Section 153 of the TNCS Act 1983, before the Government, has filed the present writ petition and, therefore, the petitioner may be permitted to withdraw the present petition by granting liberty to the petitioner to file revision before the revisional authority in terms of the Act, safeguarding the period of limitation.

2. In view of the limited request made by the learned counsel for the petitioner, the present writ petition is dismissed as withdrawn with liberty to the petitioner to file a review petition before appropriate authority and it is made clear that the period of pendency of the present petition before this Court shall be excluded for the purpose of calculating the period of limitation. Consequently connected miscellaneous petitions are closed. However there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Joint Registrar of
Cooperative Societies,
Salem 636 007.
2. The Special Officer,
S.167, Mallikundham Primary
Agricultural Cooperative Credit Society Ltd,
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srg 02/11/2020