



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.1193 of 2020

C.Raja

... Petitioner

vs.

The Registrar  
Co-operative Societies,  
Kilpauk, Chennai-600 010.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent herein to conclude the disciplinary proceedings against the petitioner and disburse the retirement and pensionary benefits as per the representation of the petitioner dated 04.08.2017 in the light of G.O(Ms) No.99, P&AR (A) Department, dated 21.09.2015.

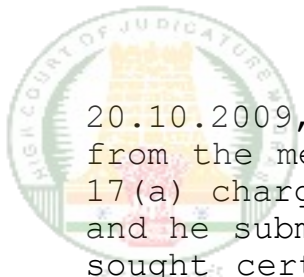
For Petitioner : Mr.C.Padmaraj  
For Respondent : Mr.M.Jeyakumar,  
Additional Government Pleader.

### O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondent to conclude the disciplinary proceedings against the petitioner and disburse the retirement and pensionary benefits as per the representation of the petitioner dated 04.08.2017, in the light of G.O(Ms) No.99, P&AR (A) Department, dated 21.09.2015.

2.Mr.M.Jeyakumar, learned Additional Government Pleader takes notice for the respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that he was employed in the Cooperative Societies and retired as Senior Inspector in the office of the Regional Joint Registrar, Thanjavur on 31.07.2017. He was served with a charge memo under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, dated 24.07.2014 alleging that during his service as Special Officer in All Cooperative Societies Employees Thrift and Credit Society, Thiruvaiyaru and Thanjavur from 28.11.2001 to 18.06.2002 and from 17.07.2009 to



20.10.2009, he has not taken steps for recovery of the loan dues from the members of the societies and caused revenue loss. Pending 17(a) charge, he was also issued with 17(b) charge without any basis and he submitted his detailed explanation, dated 20.01.2015 and also sought certain documents. In the enquiry conducted by the Enquiry Officer, it was held that charge was not proved and the enquiry report was forwarded to the respondent. He was also allowed to retire from service without prejudice to the disciplinary proceedings. Since the disciplinary proceedings were not completed within a period of 3 months from the date of his retirement, he submitted a grievance petition dated 14.07.2017 and the same has not been considered. He was also not disbursed with the terminal benefits. In G.O(Ms)No.99, P & AR(A) Department, dated 21.09.2015, it is stated that the grievance petition shall be disposed of within a maximum period of one month with a speaking order. Therefore, he made a representation dated 04.08.2017 to the respondent seeking to conclude the disciplinary proceedings and disburse the retirement benefits and the same has also not been considered so far. Therefore, the petitioner has come up with the present writ petition.

4. Even though the learned counsel for the petitioner raised several grounds in the Writ petition, he submitted that it would suffice, if a direction is issued to the respondent to conclude the disciplinary proceedings within a time frame, on the basis of his representation, dated 04.08.2017 and also in the light of G.O(Ms) No.99, dated 21.09.2015, for which, the learned Additional Government Pleader appearing for the respondent, has no serious objection.

5. Considering the limited scope of the relief sought for, this Court, without advert to the merits of the petitioner's claim, directs the respondent to conclude the disciplinary proceedings pending against the petitioner on the basis of his representation, dated 04.08.2017 and also in the light of G.O(Ms)No.99, P & AR(A) Department, dated 21.09.2015, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To:-

The Registrar  
Co-operative Societies,  
Kilpauk, Chennai-600 010.

+1 CC to M/s.Special Govt.Pleader ( SR-2898[F] dated 24/01/2020 )

**ORDER MADE IN  
W.P. (MD) No.1193 of 2020  
22.01.2020**

smn

SDS (14.02.2020) 3P-3C