



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

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

W.P. (MD) .No.2589 of 2013  
and M.P. (MD) No.1 of 2013

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Gengaram Pothiraj

... Petitioner

-Vs-

1.The Joint Registrar  
Co-operative Societies,  
Virudhunagar, Virudhunagar District.

2.The Special Officer,  
SP. SPL.60, Mettamalai  
Primary Agricultural Co-operative Credit  
Society Limited,  
Mettamalai-626 203,  
Sattur Taluk, Virudhunagar District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records passed in Na.Ka.No.5355/10, Sa.Pa.dated 19.10.2010 on the file of the first respondent, quash the same and to reinstate the petitioner in service.

For Petitioner : Mr.P.Venkata Subramanian

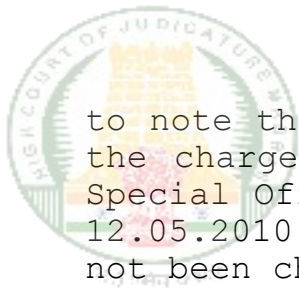
For Respondent : Mr.P.Mahendran  
Additional Government Pleader (for R1)

Mr.G.Muthukannan (for R2)

### **ORDER**

The order of dismissal from service passed by the first respondent, in proceedings, dated 19.10.2010, is under challenge in the present writ petition. First of all, the writ petition itself is filed after a lapse of three years from the date of passing of the order filed by the first respondent. The order of dismissal originally passed by the second respondent, is not under challenge in the present writ petition.

2.The writ petitioner was working as a Salesman in Mettamalai Primary Agricultural Co-operative Credit Society Limited. On account of certain allegations of misappropriation of the funds of the society as well as the stock deficits, disciplinary proceedings were initiated against the petitioner by the Board of the second respondent. Domestic enquiry was conducted, the petitioner participated in the domestic enquiry and it is pertinent



to note that he pleaded guilty before the enquiry officer regarding the charges framed against him. Based on the proved charges, the Special Officer of the second respondent society passed an order on 12.05.2010 removing the petitioner from service. The said order has not been challenged in the present writ petition.

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3.The petitioner preferred revision petition under Section 153 of the Tamil Nadu Co-operative Societies Act and the first respondent conducted an adjudication of the issues and passed a speaking order on 19.10.2010 categorically regarding the fact that the petitioner admitted the charges before the enquiry officer. His stock deficits as well as the misappropriation of the funds are admitted by the writ petitioner in clear terms. In view of the fact that the the writ petitioner himself pleaded guilty before the enquiry officer and the revisional authority also considered those factors and passed an order confirming the order of dismissal passed by the second respondent, there is no reason to interfere with the impugned order passed in this writ petition.

4.Accordingly, the writ petition is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

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/ /2021

Sub Assistant Registrar(CS)

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To

The Joint Registrar  
Co-operative Societies,  
Virudhunagar,  
Virudhunagar District.

+1 CC to Mr. Special Government Pleader, SR.No. 26244

W.P. (MD) .No.2589 of 2013  
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