



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2020**

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P (MD) No.5263 of 2020

A.Ponnusamy

.. Petitioner

Vs.

1. The Registrar of Cooperative Societies,
No.170, EVR Road,
Dr.Radhakrishnan Nagar,
Arumbakkam, Chennai - 600 106.
2. The Joint Registrar of Cooperative Societies,
Kajamalai, Trichy.
3. The Deputy Registrar of Cooperative Societies,
Trichy Circle, Kajamalai, Trichy.
4. The Cooperative Sub Registrar/
Field Officer,
Cooperative Department,
Marungapuri Union,
Trichy District.
5. M.M.355 Kovilpatti Primary Agricultural
Cooperative Credit Society Ltd.,
rep. by its President,
Kovilpatti Post,
Marungapuri Taluk,
Trichy District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 2 to 5 to furnish the copies of resolution dated 30.01.2004 passed by the 5th respondent dismissing the petitioner from services and all other related proceedings with in a time frame fixed by this Court in pursuant to the petitioner's representation dated 24.09.2019 and pass such further or other orders.

For Petitioner : Mr.R.Subramanian

For Respondents 1 to 4 : Mr.M.Karuppasamy Pandian,
Additional Government Pleader.

For Respondent No.5 : Mr.V.Anand,
Government Advocate.



ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents 2 to 5 to furnish the copies of resolution dated 30.01.2004 passed by the 5th respondent dismissing the petitioner from service and all other related proceedings, in pursuant to the petitioner's representation dated 24.09.2019.

2.Mr.M.Karuppasamy Pandian, learned Government Advocate takes notice for the respondents 1 to 4 and Mr.V.Anand, learned Government Advocate takes notice for the 5th 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 appointed as Salesman in the 5th respondent society on 05.04.1990. On 11.05.2002, he handed over the charges to the 5th respondent society and took leave and extended the leave periodically. On 25.04.2008, he requested the 5th respondent to permit him to join duty. But, the 5th respondent did not allow him to join duty and also issued an enquiry notice calling upon him to appear before him on 20.10.2017 and he also appeared. Thereafter, the 3rd respondent, hurriedly passed an order, dated 21.04.2018, stating that by resolution dated 30.01.2004, the society has dismissed him from service. In order to challenge the same, the petitioner applied to the 5th respondent for furnishing the copy of the resolution and other proceedings. But the 5th respondent refused to furnish the copies. He has also sent another representation dated 24.09.2019. But, till date, the same have not been furnished to him. Therefore, he has come up with the present writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned Government Advocates appearing for the respondents and perused the materials available on record.

5.The learned counsel appearing for the petitioner submitted that in order to challenge the dismissal order, the copy of resolution dated 30.01.2004 is required, but the respondents have not furnished the same to the petitioner.

6.Considering the limited scope of prayer sought for, this Court, without advertting to the merits of the case, directs the respondents 2 to 5 to furnish the copy of the resolution dated 31.0.2004 passed by the 5th respondent dismissing the petitioner from service, to the petitioner, by considering his representation, dated 24.09.2019, within a period of two (2) weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Registrar of Cooperative Societies,
No.170, EVR Road,
Dr.Radhakrishnan Nagar,
Arumbakkam, Chennai - 600 106.
2. The Joint Registrar of Cooperative Societies,
Kajamalai, Trichy.
3. The Deputy Registrar of Cooperative Societies,
Trichy Circle, Kajamalai, Trichy.
4. The Cooperative Sub Registrar/
Field Officer,
Cooperative Department,
Marungapuri Union,
Trichy District.
5. The President,
M.M.355 Kovilpatti Primary Agricultural
Cooperative Credit Society Ltd.,
Kovilpatti Post, Marungapuri Taluk,
Trichy District.
- 6.+1 CC to Mr.R.SUBRAMANIAN, Advocate
(SR-11976[F] dated 17/03/2020)
- 7.+1 CC to SPL.GP (SR-12012[F] dated 17/03/2020)

ORDER MADE IN
W.P (MD) No.5263 of 2020
16.03.2020

TP (07.05.2020) 3P 8C