



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2020

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THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P. (MD) No.7249 of 2020

and

W.M.P. (MD) No.6684 of 2020

(Through Video Conferencing)

Balakrishnan

... Petitioner

Vs.

1.The Joint Registrar of Co-operative
Societies,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Registrar of Co-operative Societies,
Ramanathapuram Circle,
Ramanathapuram.

3.The Secretary,
N.N.699, Sirukambayur Primary Agricultural
CO-operative Credit Society,
Ooriyur, Ramanathapuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned suspension order of the 1st respondent dated 11.03.2020 passed in Na.Ka.6517/19/KaVa and quash the same as illegal and consequently direct the 1st and 2nd respondents to provide an opportunity to the petitioner by consider his reply dated 02.04.2020 which was sent towards the show cause notice dated 29.11.2020 issued by the 2nd respondent.

For Petitioner : Mr.S.Sukumar

For Respondents: Mr.C.M.Mari Chelliah Prabhu, AGP
for RR1 and 2
Mr.S.Angappan, G.A. For R3

O R D E R

By consent of both parties, this writ petition is taken up for final disposal.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Government Advocate appearing for the 3rd respondent.

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3. It was mentioned that the petitioner was suspended by the impugned order passed by the 1st respondent, after the petitioner purportedly failed to reply to the show cause notice dated 22.11.2019 issued by the 2nd respondent to the petitioner.

4. It is the contention of the learned counsel appearing for the petitioner that the said show cause notice has not been issued and therefore, the petitioner could not reply to the allegation in the show cause notice. The learned counsel further submits that there is no irregularity as the amount and the accounts of the 3rd respondent had been handed over in the month of October 2019.

5. Be that as it may, the impugned suspension order has been in force from 11.03.2020 and the petitioner has also been receiving subsistence allowance. It is submitted that the petitioner filed a representation dated 02.04.2020. Therefore, the petitioner is given liberty to file a reply to the show cause notice dated 29.11.2019, within a period of 10 days from the date of receipt of a copy of this order. On such reply, the respondents shall pass appropriate orders in the show cause notice on merits and in accordance with law, within a period of 15 days thereafter. In case, there is no case is made out in the show cause notice, the impugned suspension order shall be withdrawn sine die without further order.

6. This writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Joint Registrar of Co-operative
Societies,
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2.The Deputy Registrar of Co-operative Societies,
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