



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.03.2020

CORAM:

THE HONOURABLE JUSTICE C.V.KARTHIKEYAN

W.P. (MD)No.16573 of 2019

S.K.Ramachandran

... Petitioner

Vs.

The Joint Registrar of Co-operative Societies,
Sarvagnar Street,
(opposite to Rose Mary Convent, Palayamkottai),
Tirunelveli-627 002.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's Appeal dated 18.08.2018 and dispose it at the earliest within the time frame as fixed by this Court.

For Petitioner	:	Mr.A.Kannan
For Respondent	:	Mr.C.M.Marichelliah Prabhu
		Additional Government Pleader

O R D E R

The Writ Petition has been filed in the nature of Mandamus seeking to consider the Appeal dated 18.08.2018, filed by the petitioner and to dispose the same.

2. In the affidavit filed in support of the Writ Petition, the petitioner stated that he had been selected and appointed as Salesman in Sankarakovil Agricultural Producers' Co-operative Limited, by the Special Officer, through Employment Exchange. He joined on 05.10.1987. Thereafter, he was promoted as Clerk on 01.07.1991 and as Accountant on 31.05.2010. He also stated that he has also taking care of the post of Manager for the past eight years.

3. This Court is not examining in detail, the charge memo, which had been issued by the Managing Director by proceedings dated 04.10.2017, against the petitioner. The petitioner gave a detailed explanation. Thereafter, the Enquiry Officer was appointed. The Enquiry Officer had given a report. The petitioner questioned the said report. The petitioner thereafter, had filed an Appeal on 18.08.2018, before the respondent herein. Unfortunately, the petitioner had termed it as an Appeal under Section 153 of the Tamil Nadu Co-operative Societies Act. But, it is an Appeal under Section



152 of the Tamil Nadu Co-operative Societies Act. This Writ Petition had been filed seeking Mandamus to dispose of the said Appeal dated 18.08.2018.

4.In these circumstances, a Mandamus is issued to the respondent viz., Joint Registrar, Tamil Nadu Co-operative Societies Limited, Tirunelveli, to consider the Appeal filed by the petitioner dated 18.08.2018, under Section 152 of the said Act and follow the procedure as enunciated under the said Act and thereafter, pass orders with reasons. The respondent may bestow his attention and take all efforts to dispose of the said Appeal on or before 30.04.2020.

5.With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg

To

The Joint Registrar of Co-operative Societies,
Sarvagnar Street, (opposite to Rose Mary Convent, Palayamkottai),
Tirunelveli-627 002.

+1 CC to M/s.SPL.GP (SR-11304[F] dated 12/03/2020)

+1 CC to M/s.SS.MADHAVAN, Advocate (SR-10867[F] dated 10/03/2020)

Order made in

W.P. (MD) No.16573 of 2019

Dated:10.03.2020

SMA/18/03/2020/2P/4C