



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.17767 of 2020

WEB COPY

Selvam

... Petitioner

Vs.

- 1.The Joint Registrar,
Office of the Joint Registrar of Co-operative Societies,
Thanjavur Region,
Thanjavur District.
- 2.The Deputy Registrar,
Office of the Deputy Registrar of Co-operative Societies,
Kumbakonam, Thanjavur District.
- 3.The President,
Z637, Swamimalai Primary Agriculture Co-operative
Credit Society Ltd.,
Swamimalai Post,
Kumbakonam Taluk,
Thanjavur District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant monthly subsistence allowance to the petitioner from the date of petitioner's suspension dated 31.05.2018 based on the petitioner's representation dated 05.10.2020.

For Petitioner	: Mr.N.Anandakumar
For R-1 and R-2	: Mr.R.Murugaraj Government Advocate
For R-3	: Mr.B.Bhagavathy Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed to direct the respondents to grant monthly subsistence allowance to the petitioner from the date of his suspension dated 31.05.2018 based on his representation dated 05.10.2020.



3.The grievance of the petitioner is that he was working as a Secretary in the third respondent Society from 10.09.2012 to 17.04.2018. Thereafter, he was suspended from service with effect from 31.05.2018 and till date the enquiry has not been concluded and a criminal case is also pending against him. In these circumstances, as per the law settled by the Hon'ble Apex Court, he is entitled for the subsistence allowance. In this regard, the petitioner made a representation dated 05.10.2020 seeking for subsistence allowance. However, the respondents have not taken any steps till date. Hence, without any other options, the petitioner approached this Court for appropriate relief.

4.The learned Standing Counsel appearing for the respondents would fairly submit that the representation of the petitioner will be disposed of on merits and in accordance with law.

5.In view of the submissions made by the learned counsel appearing on either side, this Court directs the third respondent to dispose of the petitioner's representation dated 05.10.2020 within a period of eight weeks from the date of receipt of a copy of this order on merits and in accordance with law.

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

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

CP

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,
Office of the Joint Registrar of Co-operative Societies,
Thanjavur Region,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Registrar,
Office of the Deputy Registrar of Co-operative Societies,
Kumbakonam,
Thanjavur District.

WEB COPY

3.The President,
Z637, Swamimalai Primary Agriculture Co-operative
Credit Society Ltd.,
Swamimalai Post,
Kumbakonam Taluk,
Thanjavur District.

+1 CC to SGP (SR-24649[F] dated 09/12/2020)

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KM (23.12.2020) 3P 5C