

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 28.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17810 of 2005  
and  
W.M.P.No.19352 of 2005

B.Kandasamy ...Petitioner

Vs

The Deputy Registrar,  
O/o Deputy Registrar of  
Co-operative Societies,  
Tindivanam. ...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order in Na.Ka.No.6178/03/Wa.Se.Sa dated 23.02.2005 passed by the respondent, quash the same and consequently direct the respondent to continue the service of the petitioner as Clerk by relaxing his age.

For Petitioner : Mr.R.Karunagaran

For Respondent : Mrs.T.Girija, AGP

O R D E R

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

2. The order impugned in the present writ petition is a show cause notice. It is a settled proposition of law that this Court, while exercising its power under Article 226 of Constitution of India, will not normally interfere with a show cause notice, unless under special circumstances like absence of authority, etc. The grounds raised by the petitioner herein does not fall under such exceptions and therefore, I do not find any merits in the writ petition. However, if the petitioner is granted liberty to give his explanation to the impugned show cause notice with a consequential direction to the authorities

to consider the same within a stipulated time, the ends of justice could be secured.

3. In the light of the above observations, the petitioner is granted liberty to give his explanation to the impugned show cause notice dated 25.02.2005, within a period of 15 days from the date of receipt of a copy of this order and on receipt of such explanation, the respondent herein shall consider the same on its own merits and take necessary course of action in accordance with law, at least within a period of three months from the date of receipt of such explanation of the petitioner.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

hvk  
To

The Deputy Registrar,  
O/o Deputy Registrar of  
Co-operative Societies,  
Tindivanam.

+lcc to the Government pleader Sr.26333

सत्यमेव जयते

W.P.No.17810 of 2005  
and

W.M.P.No.19352 of 2005

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srg 08/07/2021