



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20235 of 2021
and
W.M.P.No.21489 of 2021

(Through Video Conferencing)

P.Samidurai ... Petitioner

Vs

- 1.The Joint Registrar of Co-operative Societies,
Cuddalore Region, Cuddalore.
- 2.The President,
I.I. 579, Maligaimedu Primary Agricultural
Co-operative Credit Society Limited,
Veppur Taluk, Cuddalore District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the order dated 14.09.2021 on the file of the second respondent herein and quash the same and consequently, reinstate the petitioner with all attendant monetary benefits by treating the period of suspension as duty period.

For Petitioner : Mr.C.Munusamy

For Respondents : L.S.M.Hasan Fizal
Government Advocate

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the respondents.

2.The learned Government Advocate submits that the respondents have issued a charge memo to the petitioner.

3.Considering the fact that a disciplinary proceedings is under contemplation, there cannot be any interference at the stage. Therefore, this writ petition is dismissed with liberty to the petitioner to approach at a later point of time after expiry of three months from the date of impugned suspension



order. During the pendency of the suspension, if no charge memo is issued to the petitioner in terms of the decision of the Hon'ble Supreme Court in Ajay Kumar Choudhary Vs Union of India, (2015) 7 SCC 291, the respondents shall pay the subsistence allowance to the petitioner if it has not been paid so far. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1.The Joint Registrar of Co-operative Societies,
Cuddalore Region, Cuddalore.

2.The President,
I.I. 579, Maligaimedu Primary Agricultural
Co-operative Credit Society Limited,
Veppur Taluk, Cuddalore District.

+1 cc to Government Pleader Sr.NO. 51580

W.P.No.20235 of 2021

and

W.M.P.No.21489 of 2021

PMK (CO)
A.SK(12.11.2021)