



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.25131 of 2018

and

W.M.P.Nos.29205 & 29206 of 2018

P.Elango

...Petitioner

Vs

1. The Joint Registrar of Cooperative Societies,
Office of the Joint Registrar of Cooperative Societies
No.4, Beach Road,
Cuddalore-607 001.

2. The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
No.4, Beach Road,
Cuddalore-607 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other appropriate writ, direction or order calling for the impugned proceedings of the 1st respondent is his proceedings bearing RC No.5087/2017 E dated 20.10.2017 and RC No.5087/2017 E dated 31.10.2017 and to quash the same and to direct the respondents to disburse the retirement benefits with interest at the rate of 12% per annum.

For Petitioner : Mr.G.Ilamurugu

For Respondents: Mr.K.Surendran
Additional Government Pleader

O R D E R

When the petitioner was about to retire on reaching the age of Superannuation on 31.10.2017, he was placed under suspension and by a consequential order dated 31.10.2017, declined to permit him to retire, on the ground that the criminal case in C.C.No.57 of 2016, 58 of 2016, 60 of 2016 and 62 of 2016 was pending before the learned Judicial Magistrate Court-II,



Panruti. Pursuant to the impugned order, this Court by an order dated 15.11.2017 had quashed all these calendar cases in a common order passed in Crl.O.P.No.1734 to 1737 and 19846 of 2017.

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2. As such, the very basis of which the 1st respondent had placed the petitioner under suspension and had declined to permit the petitioner to retire on reaching the age of Superannuation has become redundant.

3. In view of the quashing of the criminal case, the very basis for passing the impugned orders had become redundant and accordingly the impugned proceedings of the 1st respondent bearing RC No.5087/2017 E dated 20.10.2017 and RC No.5087/2017 E dated 31.10.2017 are quashed. Consequently, there shall be a direction to the 1st respondent herein to forthwith pass orders permitting the petitioner to retire and thereby disburse him all the benefits including the pensionary benefits, atleast within a period of 4 weeks from the date of receipt of a copy of this order.

4. The Writ Petition stands allowed, accordingly. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

To

1. The Joint Registrar of Cooperative Societies,
Office of the Joint Registrar of Cooperative Societies
No.4, Beach Road,
Cuddalore-607 001.
2. The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
No.4, Beach Road,
Cuddalore-607 001.

+1cc to Mr.G.Ilamurugan, Advocate, S.R.No.68103

+1cc to the Government Pleader, High Court, Madras, S.R.No.68326

W.P.No.25131 of 2018

EV(CO)

SU(22/12/2021)