



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.8706 of 2021

A.Mayilvaganan

... Petitioner

vs.

1.The Deputy Registrar of Co-operative Society,
Karur Division,
Karur.

2.The Joint Registrar of Co-operative Society,
Navaladiyan Complex Main Road,
Thanthonimalai,
Karur District.

3.The President,
MM69, L.N.Samudram Primary Agricultural
Co-operative Society,
L.N.Samudram Post,
Vadivelnagar,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to conclude the Revision Petition No.4 of 2019 pending before him and consequently direct the respondents 2 and 3 to supply materials to the charge memos dated 22.04.2013 and 17.06.2013 issued against the petitioner.

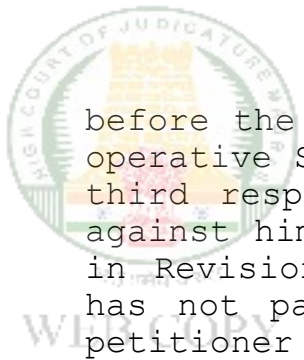
For Petitioner : Mr.V.Angusamy

For Respondents : Mr.P.Subbaraj,
Government Advocate.

ORDER

The petitioner has come out with present Writ Petition for a direction to the first respondent to conclude the Revision Petition No.4 of 2019 pending before him and consequently direct the respondents 2 and 3 to supply materials to the charge memos dated 22.04.2013 and 17.06.2013 issued against the petitioner.

2. According to the petitioner, he was working as Secretary in the third respondent Society from 2008 to 2010. He was suspended from service on 21.12.2012, alleging that he manipulated certain documents with regard to the supply of fertilizers to the farmers by the Co-operative Society. The petitioner was issued with charge memos dated 22.04.2013 and 17.06.2013 by the third respondent. However, he has not been served with the materials along with the charge memos. Hence, the petitioner filed a Revision Petition



before the first respondent under Section 153 of the Tamil Nadu Co-operative Societies Registration Act, seeking for a direction to the third respondent to supply the materials to the charges levelled against him. The said revision petition is pending from 19.10.2019 in Revision Petition No.4 of 2019. However, the first respondent has not passed any order in the revision till date. Hence, the petitioner has come out with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. From the averments made in Revision Petition No.4 of 2019 filed by the petitioner, it is seen that the petitioner has mentioned three orders of this Court dated 26.07.2019, made in W.P. (MD)Nos.16896/2013, 10367 and 15205 of 2014. In the Revision Petition, the petitioner has sought for a direction to the third respondent herein to supply the documents as per the order of this Court, alleging that the third respondent is committing the contempt of Court, by non furnishing the documents to the petitioner. The petitioner is also seeking an order from the first respondent to implement the order of this Court. The petitioner has not filed any order of this Court, wherein the third respondent was directed to furnish documents, payment of subsistence allowance and reinstatement in service. A Revision Petition before the first respondent to implement the order of this Court is not maintainable. If really, the third respondent has disobeyed the orders of this Court, the petitioner has to approach this Court for the said relief.

5. In view of the same, the present relief seeking a direction to the first respondent to dispose of the revision petition cannot be issued.

6. For the above reason, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 /

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



To

1.The Deputy Registrar of Co-operative Society,
Karur Division,
Karur.

WEB COPY

2.The Joint Registrar of Co-operative Society,
Navaladiyan Complex Main Road,
Thanthonimalai,
Karur District.

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