



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.9824 of 2021

and

W.M.P. (MD) No.7547 of 2021

WEB COPY

P.Rajamuthu Vinayagar

... Petitioner

vs.

1.The Joint Registrar of Cooperative Societies,
Sivagangai,
Sivagangai District.

2.The Deputy Registrar / Managing Director,
Sivagangai District Consumer Cooperative
Wholesale Stores Ltd.,
Sivagangai,
Sivagangai District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for impugned show cause issued by the 2nd respondent in Na Ka No.142/2008 P.O Vidhi dated 17.05.2021 and quash the same and consequently directing the first respondent herein to dispose the revision pending before him within the time stipulated by this Court.

For Petitioner : Mr.Saravanan.B

For Respondents : Mr.P.Thilakkumar,

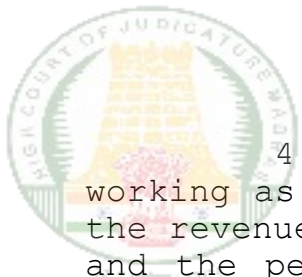
Government Advocate.

O R D E R

Mr.P.Thilak Kumar, learned Government Advocate accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Certiorarified Mandamus, to call for impugned show cause issued by the second respondent in Na Ka No.142/2008 P.O Vidhi dated 17.05.2021 and quash the same and consequently directing the first respondent herein to dispose the revision petition pending before him within the time stipulated by this Court.



4. According to the petitioner, the petitioner while working as a salesman at the Water Tank Fair Price Shop, Karaikudi, the revenue officials inspected the shop and malpractices were found and the petitioner was placed under suspension. Many other shops were also inspected and the salesman in the other shops were also suspended. Aggrieved over the suspension order, the petitioner along with the similarly affected persons filed batch of writ petitions before this Court and this Court by order dated 29.07.2008 set aside the same and the second respondent reinstated the petitioner and similarly placed persons into service on 31.07.2009. In the meanwhile, a charge memo dated 05.04.2008 was issued and the petitioner was terminated from service. The said termination order was challenged before this Court and this Court by order dated 05.02.2009 set aside the same and remanded the matter to the second respondent for fresh consideration by giving adequate opportunities. The petitioner was terminated without giving the adequate copies of the documents relied on by the second respondent. Therefore, the petitioner again moved this Court challenging the said termination order and this Court granted interim stay. Based on the interim order, the petitioner was again reinstated into service. When the matter was taken up for hearing, the petitioner was directed to approach the revision authority and the writ petition was dismissed. Accordingly, the petitioner filed the revision petition. Pending revision petition, the impugned show cause notice has been issued and therefore, the petitioner is before this Court.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to the respondents to dispose of the representation of the petitioner and till the revision petition is disposed of no coercive action shall be taken by the respondents.

6. The learned Government Advocate appearing for the respondents would state that the revision petition of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned Government Advocate for the respondents and in the light of the facts and circumstances of the case though the petitioner has come out with a larger prayer, the first respondent is directed to dispose of the revision petition of the petitioner on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The first respondent is directed not to take any coercive action till then and the petitioner is directed to cooperate for the earlier disposal of the revision petition.



8. With the above directions, the writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:(i) 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.

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To:

1.The Joint Registrar of Cooperative Societies,
Sivagangai, Sivagangai District.

2.The Deputy Registrar / Managing Director,
Sivagangai District Consumer Cooperative
Wholesale Stores Ltd.,
Sivagangai, Sivagangai District.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-19003[F] dated 08/06/2021)

+1 CC to M/s.SPL GP (SR-19045[F] dated 08/06/2021)

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