



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.(MD)No.51 of 2019
and C.M.P.(MD) No.312 of 2019

H.Jahubar Sathik

... Appellant/Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Thoothukudi Region,
Thoothukudi.

2.The President,
E.E.423, Udangudi Primary Agricultural
Cooperative Credit Society Ltd.,
29-A, Sathiyamoorthy Bazar,
Udangudi,
Thoothukudi District.

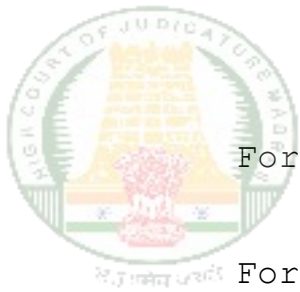
3.The President,
Nazareth Cooperative Urban Bank,
Nazareth,
Thoothukudi District.

4.The Election Commissioner,
Tamil Nadu State Cooperative Societies Commission,
1st Floor, Kamadhenu Super Market,
Anna Salai, Chennai - 600 018. ... Respondents/Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent
against the order passed by this Court in W.P.(MD)No.5446 of 2018,
dated 10.09.2018.

Prayer in WP(MD). 5446/ 2018 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a writ of
Certiorarified Mandamus calling for the records relating to the
impugned order passed by the 1st respondent in his proceedings in
Na.Ka.1746/2016 PACS dated 08.03.2018 and that of the 2nd
respondent dated 08.03.2018 and quash the both orders and
consequently permit the petitioner to discharge his duties as
Attendar continuously without any interruption in the 2nd
respondent Cooperative Society.



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For Appellant

: Mr.Mohammed Imran
M/s.Ajmal Associates

For Respondent No.1

: Mr.C.Ramesh
Special Government Pleader

For Respondent No.2

: Mr.N.Dilip Kumar
Standing Counsel

For Respondent Nos.3 & 4

: No appearance

J U D G M E N T

(Judgment of the Court was delivered by T. S. SIVAGNANAM, J.)

After elaborately hearing the learned counsel on either side, we note that during the pendency of the proceedings, the appellant had given a letter dated 01.03.2018, submitting his resignation from service. This was accepted by the respondent society and an order to the said effect was passed on 21.03.2018, which was communicated to the appellant by a communication dated 07.12.2018. This communication/decision, accepting the resignation, is the subject matter of challenge in W.P.(MD) No.1669 of 2019 on the ground that the resignation letter was submitted since the petitioner suffered mental stress and subsequently, the petitioner had withdrawn the same on 27.03.2018.

2.In the light of the subsequent developments and the pendency of the Writ Petition in W.P.(MD) No.1669 of 2019, no further orders are necessary in the Writ Appeal and the same is closed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

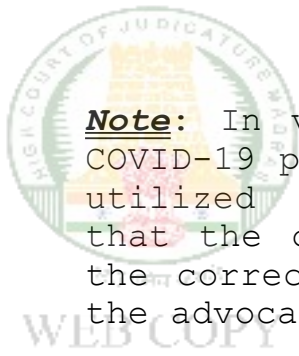
Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj



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/litigant concerned.

To

1.The Joint Registrar of Cooperative Societies,
Thoothukudi Region,
Thoothukudi.

2.The Election Commissioner,
Tamil Nadu State Cooperative Societies Commission,
1st Floor, Kamadhenu Super Market,
Anna Salai, Chennai - 600 018.

+1 CC to MR.N.DILIP KUMAR, Advocate (SR-15686[F] dated 09/04/2021)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-15754[F] dated 09/04/2021)

W.A. (MD)No.51 of 2019
08.04.2021

KM(27.05.2021) 3P 5C