



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.02.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.21122 of 2016

and

W.M.P (MD)Nos.15104, 15105 of 2016 and 3377 & 9006 of 2017

T.Raja Pandian

... Petitioner

Vs.

- 1.The Registrar of Co-operative Societies,
No.170, E.V.R.Periyar High Road,
Kilpauk, Chennai-10.
- 2.The Joint Registrar of Co-operative Societies,
Tirunelveli Region,
Palayamkottai, Tirunelveli-627 002.
- 3.The Deputy Registrar of Co-operative Societies,
Cheran Mahadevi Circle,
Cheran Mahadevi Post,
Tirunelveli District.
- 4.The President,
O-70, Pazhavor Primary Agricultural Co-operative Bank
Pazhavor Post-627 121
Radhapuram Taluk,
Tirunelveli District.

5.Mr.Kumaresan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records in pursuant to the impugned charge memo issued by the 4th respondent in his proceedings No.1/2016 dated 06.09.2016 and 02/2016, 19.09.2016 and quash the same.

For Petitioner	: Mr.T.Sundaravadanam for M/s.S.Balamurugan
For R1 to R3	: Mr.C.Ramar Additional Government Pleader
For R4 & R5	: Mr.S.R.Anbarasu

O R D E R

This writ petition has been filed by the petitioner, to call for the records in pursuant to the impugned charge memo issued by
<https://hcservices.ecourts.gov.in/hcservices/>



the fourth respondent in his proceedings No.1/2016, dated 06.09.2016 and 02/2016, 19.09.2016 and quash the same.

2.The case of the petitioner is that he joined as Secretary in O-70, Pazhavor Primary Agricultural Co-operative Bank, on 29.12.1993 and his service was regularized and his probation was also declared. While so, due to certain irregularities committed by the petitioner, he was suspended from service in the year 2000 by the fifth respondent and subsequently, a charge memo was also issued and the same was challenged before this Court in W.P.No.21204 of 2000 and this Court granted interim order from restraining the fourth respondent from passing of final orders in the disciplinary proceedings. Thereafter, the said suspension order was revoked. When such being the case, one Chandrasekar, who is the relative of the fifth respondent, has lodged a complaint against the petitioner before the Vigilance and Anti Corruption Police, Tirunelveli, that the petitioner has demanded bribe for sanctioning the agricultural jewel loan. Based on the said criminal complaint, the fourth respondent issued two charge memos dated 06.09.2016 and 19.09.2016 against the petitioner. Challenging the said charge memo, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that the petitioner has filed the present writ petition challenging the charge memo on the ground that the fifth respondent and the Investigating Officer are relatives and in order to wreck vengeance against the petitioner, these charge memos were issued. Further, the learned counsel submitted that this Court may permit the petitioner to raise all these grounds before the Enquiry Officer as well as the Disciplinary Authority, as per the Common Cadre Service viz., the second respondent and conclude the charge memo within the stipulated time as fixed by this Court, after affording an opportunity of hearing to the petitioner.

4.The learned counsel appearing for the fourth and fifth respondents has no serious objection for the said submission made by the learned counsel for the petitioner.

5.Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth and fifth respondents and perused the materials available on record.

6.Considering the above said submissions, this Court, without going into the merits of the case, directs the **(*)second** respondent to conclude the disciplinary proceedings within a period of six months from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. However, the petitioner is permitted to raise all the grounds before the Enquiry Officer as well as the Disciplinary Authority.



7. With the above observation, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

(*)Corrected As per the order of this court dated 08.03.2021

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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(*)To be substituted to the order already despatched on 03.03.2021

To

1. The Registrar of Co-operative Societies,
No.170, E.V.R.Periyar High Road,
Kilpauk, Chennai-10.

2. The Joint Registrar of Co-operative Societies,
Tirunelveli Region,
Palayamkottai, Tirunelveli-627 002.

3. The Deputy Registrar of Co-operative Societies,
Cheran Mahadevi Circle,
Cheran Mahadevi Post,
Tirunelveli District.

+1 CC to Mr.S.BALAMURUGAN, Advocate (SR-6563[F] dated 22/02/2021)

+1 CC to SPL GP (SR-6971[F] dated 24/02/2021)

W.P. (MD)No.21122 of 2016

and

W.M.P (MD)Nos.15104, 15105 of 2016 and 3377 & 9006 of 2017

22.02.2021

VB (02.03.2021) 3P 6C

KB(16.03.2021) 3P 6C