



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE D.KRISHNAKUMAR

WMP.NO.8559 OF 2022

IN WP.NO.8636 OF 2022

R.AMEER HYDER KHAN

[PETITIONER]

Vs

1 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, [RESPONDENTS]
O/O. THE REGISTRAR OF
CO-OPERATIVE SOCIETIES,
E.V.R. PERIYAR ROAD,
KILPAUK, CHENNAI 600 010

2 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
NAGAPATTINAM REGION, NAGAPATTINAM - 611 001

3 THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES
MAYILADUTHURAI 609 001 MAYILADUTHURAI DISTRICT

4 MR.T.MANIKANDAN
THE INQUIRY OFFICER, CO-OPERATIVE
SUB REGISTRAR / FILED OFFICER,
KOLLIDAM BLOCK MAYILADUTHURAI CIRCLE,
609 102 MAYILADUTHURAI DISTRICT.

5 THE PRESIDENT
ZB-65, ILANTHOPPU PRIMARY AGRICULTURAL
CO-OP CREDIT SOCIETY, PATTAVARTHI, 609 201
MAYILADUTHURAI DISTRICT.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 5th respondent to pay the subsistence allowance for the period from 26.07.2019 till 03.03.2020 for a period of 211 days and the regular pay for another period of four months from 01.09.2020 till 31.12.2020 and also for the period of the present suspension with effect from 11.05.2021 onwards till the date of disbursal to the petitioner (in WMP.NO.8559 OF 2022) pending disposal of the above WP.NO.8636 OF 2022.



Order : This miscellaneous petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.GIRITHARAN, Advocate for the petitioner and of MRS.S.ANITHA, SPECIAL GOVERNMENT PLEADER on behalf of the 1st to 3rd Respondents, the court made the following order:-

This petition has been filed to direct the fifth respondent to pay subsistence allowance for a period from 26.07.2019 till 03.03.2020 for a period of 211 days and the regular pay for another period of four months from 01.09.2020 till 31.12.2020 and also for the period of present suspension with effect from 11.05.2021.

2. The petitioner had worked in the 5th respondent Society as Writer and he was placed under suspension from 26.07.2019 to 03.03.2020 for a period of eight months and thereafter, he joined in the service. Again he was placed under suspension vide order dated 11.05.2021. Thereafter, enquiry was conducted and Surcharge proceedings were initiated against him. However, the petitioner was not paid Subsistence Allowance. Hence the 5th respondent may be directed to pay Subsistence Allowance to the petitioner.

3. Considering the facts and circumstances of the case, this court is inclined to pass the following order.

i) The petitioner is directed to make an application seeking Subsistence Allowance before the 5th respondent.

ii) On such representation being made by the petitioner, the same shall be considered by the 5th respondent and pass appropriate orders on its own merits, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ miscellaneous petition is ordered.

-sd/-

07/04/2022

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
E.V.R. PERIYAR ROAD,
KILPAUK, CHENNAI - 600 010.

2 THE JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES,
O/O. THE JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES,
NAGAPATTINAM REGION,
NAGAPATTINAM - 611 001



3 THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
O/O THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
MAYILADUTHURAI - 609 001
MAYILADUTHURAI DISTRICT.

4 THE PRESIDENT,
ZB-65, ILANTHOPPU PRIMARY AGRICULTURAL
CO-OP CREDIT SOCIETY,
PATTAVARTHI, 609 201
MAYILADUTHURAI DISTRICT.

C.C. to M/S.GIRITHARAN, Advocate SR.NO.2699/2022

Order

in
WMP.NO.8559 OF 2022

IN WP.NO.8636 OF 2022

Date :07/04/2022

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
DPK(13/04/2022)