



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.16999 of 2021

and

W.M.P.Nos.18018 & 18019 of 2021 & 22265 of 2021

G.Sakthivel

... Petitioner

vs.

1.The Deputy Registrar of
Cooperative Societies,
Dharmapuri Circle,
Dharmapuri,
Dharmapuri District.

2.The President,
K.K.162, N.S.Reddiyur Primary
Agricultural Cooperative
Credit Society,
N.S.Reddiyur Post - 636 804,
Dharmapuri Taluk & District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings in Na.Ka.No.4723/2019 Nu.Ku, dated 14.07.2021 and quash the same.

For Petitioner : C.Prakasam

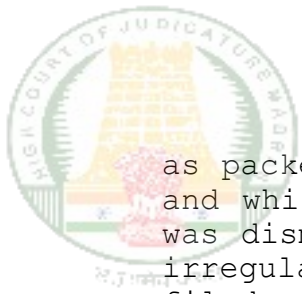
For R1 : Mr.P.Ganesan
Additional Government Pleader

For R2 : Mr.M.R.Gokulkrishnan
Additional Government Pleader

O R D E R

This writ petition has been filed seeking to quash the impugned order passed by the 1st respondent in his proceedings in Na.Ka.No.4723/2019 Nu.Ku, dated 14.07.2021 and quash the same.

2. The case of the writ petitioner is that he was appointed



as packer on compassionate ground after the demise of his father and while he was working in the Fair Price Shop, the petitioner was dismissed from service on 05.12.2014 for the alleged serious irregularities committed by him and thus, the petitioner has filed a revision under Section 153 of Tamil Nadu Cooperative Societies Act 1983 before the Joint Registrar of Cooperative Societies, Dharmapuri and the same is pending. The petitioner has rejoined duty on 26.01.2021 by way of passing a resolution by the 2nd respondent society. The 1st respondent has directed the 2nd respondent to cancel the resolution passed against the petitioner and the same was cancelled.

3. Earlier, when the matter came up for admission, this Court directed the learned counsel appearing for the petitioner to verify the statement of the petitioner whether the petitioner is continuing his service in the 2nd respondent society. Today, the learned counsel appearing for petitioner, on his instructions submitted that the petitioner is continuing his service in the 2nd respondent society and the same was also not disputed by the respondents. According to the respondents, the aforesaid appointment is illegal appointment and therefore, an appropriate order has been issued by the 1st respondent for removal of the petitioner.

4. The learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents have agreed that an appropriate order may be passed for directing the revisional authority to dispose of the revision petition pending before the Joint Registrar of Cooperative Societies, Dharmapuri.

5. In view of the aforesaid agreement made by both parties, this Court is inclined to direct the Joint Registrar of Cooperative Societies, Dharmapuri, to dispose of the revision petition filed by the writ petitioner, as expeditiously as possible, within a period of six weeks from the date of receipt of a copy of this order. Till such time, the petitioner shall continue his service in the 2nd respondent society subject to the out come of the orders passed by the revisional authority.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar



To

1. The Joint Registrar of Cooperative Societies,
Dharmapuri

2. The Deputy Registrar,
Cooperative Societies,
Dharmapuri Circle,
Dharmapuri,
Dharmapuri District.

3. The President,
K.K.162, N.S.Reddiyar Primary
Agricultural Cooperative
Credit Society,
N.S.Reddiyar Post - 636 804,
Dharmapuri Taluk & District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.14055
+1cc to the Government Pleader, S.R.No.14664

W.P.No.16999 of 2021
and
W.M.P Nos.18018 & 18019 of 2021
and W.M.P No.22265 of 2021

SVI (CO)
SB(17/03/2022)