



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Writ Appeal(MD) No.774 of 2008

and

M.P(MD)No.1 of 2008

Secretary,
R1245, Vallam Primary Agricultural
Co-operative Bank, Vallam.

... 3rd Respondent/Appellant

(Cause title amended vide order dated 21.10.2014 in M.P.1/2013)

vs.

1.K.Ramachandran

... Petitioner/1st Respondent

2.Joint Registrar,
Tamil Nadu, Co-operative Societies
Ramanathapuram District Co-operative
Joint Registrar's Office,
District Collectorate,
Ramanathapuram District.

3.Deputy Registrar of Co-operative Societies,
Ramanathapuram District.

... Respondents 1 & 2/
Respondents 2 & 3

Appeal filed under Clause 15 of Letters Patent, against the order passed in W.P(MD)No.3852 of 2007 dated 11.09.2008.

Prayer in WP(MD). 3852 OF 2007 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus,d to call for the records of the resolution dated 15/02/1996 on the file of the 3rd respondent in nil resolution number pertaining to my suspension and to quash the same as illegal, without jurisdiction prolonged and improper and further direct the respondents herein to conduct the disciplinary proceedings expedite and to pay the subsistence allowance

For Appellant : Mrs.P.Jessi Jeeva Priya

For R2 & R3 : Mr.S.P.Karthick

Government Advocate



JUDGMENT

**(Judgment of the Court was made by
R.SUBRAMANIAN, J.)**

The 1st respondent / writ petitioner challenged the Resolution of the appellant Society dated 15.02.1996 placing him under suspension. The learned single Judge allowed the writ petition solely on the ground that the petitioner was kept under suspension for a period of 12 years and subsistence allowance was also not paid. Aggrieved by the quashing of the Resolution, the Society is on appeal.

2. Mrs.P.Jessi Jeeva Priya, learned counsel for the appellant Society would submit that the 1st respondent is no more and his legal representatives have also not approached the Society.

3. In view of the death of the 1st respondent, the Writ Appeal is dismissed as having abated. No costs. Since the 1st respondent is no more, the right of the legal heirs to seek the retiral benefits of the deceased 1st respondent is preserved. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.Joint Registrar,
Tamil Nadu, Co-operative Societies
Ramanathapuram District Co-operative
Joint Registrar's Office, District Collectorate,
Ramanathapuram District.

2.Deputy Registrar of Co-operative Societies,
Ramanathapuram District.

+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-5467[F]
dated 10/02/2022)
+1 CC to M/s.SPL GP (SR-5331[F] dated 10/02/2022)

JUDGMENT MADE IN
W.A(MD) No.774 of 2008
DATED : 09.02.2022

SR(CO)GC(02.03.2022) 2P 5C

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