



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 4608 of 2020

P.Pavadai ... Petitioner

-Vs-

1. The Joint Registrar of Co-operative Societies,
Pudukottai.

2. The President,
T.15010 Ulagalanthanvayal Primary Agricultural
Co-operative Credit Society,
Puduvakottai Post,
Arantangi Taluk,
Pudukottai District - 614 616.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to appear in the Revision Petition proceedings in Na.Ka.1129/2019A2 on the file of the first respondent regularly and co-operate for its adjudication in accordance with law.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.J.Ashok
Additional Government Pleader

O R D E R

The relief sought for in the present Writ Petition is to direct the second respondent to appear in the Revision Petition proceedings in Na.Ka.1129/2019A2, pending on the file of the first respondent regularly and co-operate for its adjudication in accordance with law.

2. According to the petitioner, he has been appointed as Secretary in the second respondent Society on 16.08.1978 and he worked without any blemish for 26 years. He was placed under suspension on 31.08.2004 and a charge memo was issued on 22.01.2007 alleging that he has taken away a sum of Rs.55,544/- towards his salary and other co-employees for the period from January 2004 to



August 2004 and made adjustment of the accounts for the said period. For the charge memo, he has given his explanation, but without considering the same, he was dismissed from service on 08.08.2008. Thereafter, he has filed several Writ Petitions before this Court. In one of the Writ Petition i.e., in W.P. (MD) No. 4963 of 2017, this Court directed the petitioner to file a Revision Petition before the first respondent. Accordingly, he has also filed a Revision Petition before the first respondent and the first respondent has also issued notice to the petitioner and the second respondent. However, the second respondent did not attend the enquiry and is not showing any interest in conducting the Revision Petition filed by the petitioner. Because of which, the first respondent was not able to conclude the Revision Petition within the time stipulated by this Court and the petitioner is unable to get the retirement benefits. Hence, the present petition has been filed seeking a direction to the second respondent to appear before the first respondent in the pending Revision Petition.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that though a direction is sought for as against the second respondent, it would suffice if the Revision Petition of the petitioner dated 11.03.2019 is directed to be disposed of by the first respondent, within a stipulated time limit.

4. In view of the limited scope of the relief now sought for, this Court, without expressing anything on the merits of the case, directs the first respondent to consider the petitioner's revision dated 11.03.2019 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the other necessary parties within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

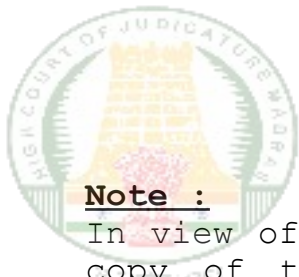
Assistant Registrar(AE)

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Sub Assistant Registrar(CS)

vji



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 Co-operative Societies,
Pudukottai.

+1 CC to M/s.SPL.GP (SR-4182[F] dated 04/02/2022)

W.P (MD) No. 4608 of 2020

03.02.2022

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