



W.A.(MD)No.795 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.A.(MD)No.795 of 2022
and
C.M.P.(MD)No.6749 of 2022

Muthuchallapandian

... Appellant

Vs.

1.K.Muthuvelchamy,
Secretary (Under Suspension),
Q1283, Kidathirukkai Primary
Agriculture Co-operative Credit Society,
Muthukulathur Taluk,
Ramanathapuram District.

.. 1st respondent /
writ petitioner

2.The Joint Registrar of Co-operative Societies,
Regional Office,
District Treasury Office Upstairs,
District Collectorate,
Ramanathapuram,
Ramanathapuram District.



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3. The Deputy Registrar of Co-operative Societies,
Co-operative Deputy Registrar's Office,
2/96 F, Singarathopu,
Melachathiram,
Paramakudi,
Ramanathapuram District.

4. The President,
Q1283, Kidathirukkai Primary
Agriculture Co-operative Credit Society,
Muthukulathur Taluk,
Ramanathapuram District.

... Respondents 2-4/
Respondents 1-3

PRAYER: Writ Appeal filed under Clause 15 of Letter Patent,
against the order dated 22.03.2022 made in W.P(MD)No.4671 of
2017.

For Appellant : M/s.Polax Legal Solutions
for Mr.Porkodi Karnan

For Respondents : Mr.P.R.Prithviraj for R1
Mr.SR.A.Ramachandran
Additional Government Pleader
for R2 to R4



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JUDGMENT

[Delivered by **P.N.PRAKASH, J.**]

For the sake of convenience, the parties should be referred to by the respective names.

2. One Muthuvelsamy, who was working as Secretary in Q1283, Kidathirukkai Primary Agriculture Co-operative Credit Society, was placed under suspension and a charge memo was issued to him. Challenging the charge memo, he filed W.P(MD)No. 4671/2017 which has been allowed by a learned Single Judge on 22.03.2022. However, in the order dated 22.03.2022, the learned Single Judge has stated as follows:

“On perusal of the letter and subsequent letters, this Court is of the considered opinion that the said Muthuchellapandian is the culprit of the entire issue and has acted in vindictive way, which is illegal.”

3. Aggrieved by this remarks, Muthuchallapandian has filed the present appeal after obtaining leave.



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4. Heard the learned counsel for the parties.

5. Learned counsel for Muthuchallapandian submitted that on account of the aforesaid remarks of the learned Single Judge, disciplinary action has been initiated against him by the authorities and the same is pending, but the said remarks should not in any way influence the decision in the disciplinary proceedings.

6. Accepting the aforesaid submissions, we make it very clear that the departmental proceedings against Muthuchallapandian shall proceed without in any manner being influenced by the impugned remarks of the learned Single Judge, in the order, dated 22.03.2022 in W.P(MD)No.4671 of 2017.

7. With the above observation, this writ appeal stands closed. However, there shall be no order as to costs. Consequently, connected C.M.P.(MD)No.6749 of 2022 is closed.

[P.N.P.J.] & [R.H.,J.]

29.07.2022

Index : Yes/No

Internet : Yes/No

PJL



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To

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P.N.PRAKASH, J.
and
R.HEMALATHA, J.

PJL

ORDER MADE IN
W.A(MD)No.795 of 2022

29.07.2022