



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.11594 of 2019
and
W.M.P (MD) .No.8833 of 2019

M.V.Raja

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Madurai Region,
Madurai District.

2.The Deputy Registrar of Co-operative Societies
(Public Distribution System),
Thirumangalam,
Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for records in R.C.No. 2506/2019 Esst (1) dated 30.04.2019 and consequential order in R.C.No. 2506/2019 Esst (2) dated 30.04.2019 on the file of the 1st respondent and quash the same as illegal consequently direct the respondents to settle all retiral benefit of the petitioner forthwith.

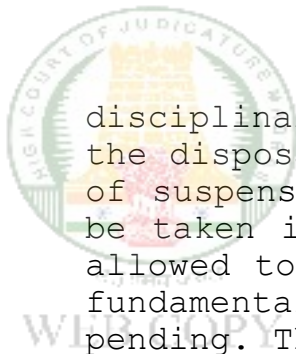
For Petitioner : Mr.S.Kumar

For Respondents : Mr.M.Ramesh
Government Advocate

O R D E R

The order of suspension dated 30.04.2019 is under challenge in the present Writ Petition.

2. The order of suspension was issued on the eve of retirement of the writ petitioner on 30.04.2019. Admittedly, the departmental disciplinary proceedings are pending against the petitioner. Therefore, the respondent placed the writ petitioner under suspension and his services are also extended under Rule 56(1) (c). In respect of suspension order passed on the last date of retirement, the same cannot be revoked as the departmental



disciplinary proceedings initiated are to be concluded. Only after the disposal of the departmental disciplinary proceedings, the order of suspension is to be reviewed and all appropriate actions are to be taken in accordance with law. Thus, the writ petitioner was not allowed to retire from service and his services were extended under fundamental rules. The departmental disciplinary proceedings are pending. This Court, in another writ petition filed by the same writ petitioner, directed the Authorities to conclude the departmental disciplinary proceedings as expeditiously as possible. Only after the completion of the departmental disciplinary proceedings, the order of suspension is to be reviewed as per the Rules in-force.

3. Accordingly, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

To

1. The Joint Registrar of Co-operative Societies,
Madurai Region,
Madurai District.

2.The Deputy Registrar of Co-operative Societies
(Public Distribution System),
Thirumangalam,
Madurai District.

+1 CC to M/s.SPL.GP (SR-10990[F] dated 09/03/2022)

W.P. (MD) No.11594 of 2019

08.03.2022

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