



WP(MD)No.15734 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.15734 of 2022
and
W.M.P(MD)No.11324 of 2022

S.Susila

... Petitioner

/vs./

1.The Deputy Registrar,
Co-operative Society,
Palani, Dindigul District.

2.The Co-operative Sub Registrar/Managing Director,
Kodaikanal, Dindigul District.

3.The President,
A1265, Pannaikadu Primary Agriculture
Co-operative Credit Society, Pannaikadu,
Dindigul District.

4.K.Velmurugan,
Secretary,
A1265, Pannaikadu Primary Agriculture
Co-operative Credit Society, Pannaikadu,
Dindigul District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned orders, dated 14.06.2022 and 05.07.2022 passed by the third respondent vide his proceedings Nil and quash the same as illegal.

For Petitioner : Mr.C.Mayilvahana Rajendran
For R-1 to R-3 : Mr.P.Thilak Kumar
Government Pleader
Assisted by Mr.M.Ramesh
Government Advocate

ORDER

The grounds raised by the petitioner in the present writ petition, challenging the charge memo, dated 05.07.2022, touches upon the merits of the delinquencies alleged in the charges. Such grounds requires to be established in the enquiry through oral and documentary evidences and this Court, exercising its power under Article 226 of Constitution of India, may not be justified in adjudicating such factual disputes. Nevertheless, if the petitioner is granted liberty to give her explanation to the charges levelled against her, the ends of justice could be secured.



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2. Though the charge memo, dated 05.07.2022, prescribes the time limit of 15 days and the writ petition has been filed even before expiry of the time limit, this Court is of the view that the time limit prescribed therein, could be further extended.

3. Accordingly, the petitioner is granted liberty to give her explanation to the impugned charge memo, dated 05.07.2022, within a period of ten (10) days from the date of receipt of a copy of this order. On receipt of such explanation, the Disciplinary Authority is at liberty to proceed further in the matter, in accordance with law.

4. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

20.07.2022

Index : Yes / No
Internet : Yes / No
btr/TM



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M.S.RAMESH, J.

btr/TM

Order made in
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20.07.2022