



W.A.(MD)No.801 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.A(MD)No.801 of 2022
and
C.M.P.(MD)No.6837 of 2022

The President,
A1541, Periyakalaiyamputhur Primary
Agricultural Cooperative Credit Society,
Palani, Dindigul District.

... Appellant

Vs.

1.M.Latha

2.The Regional Joint Registrar,
Office of the Joint Registrar,
District Collectorate, Dindigul.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letter Patent, to set aside the order passed by this Court in W.P.(MD)No.9652 of 2020, dated 15.06.2022.

For Appellant :Mr.D.Shanmugaraja Sethupathi

For 2nd Respondent:Mr.N.Satheesh Kumar

Additional Government Pleader

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JUDGMENT

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(Judgment of the Court was delivered by **S.S.SUNDAR, J.**)

This Writ Appeal is directed against the order of Writ Court dated 15.06.2022 made in W.P.(MD) No.9652 of 2020.

2. Heard Mr.D.Shanmugaraja Sethupathi, learned counsel for the appellant and Mr.N.Sathesh Kumar, learned Additional Government Pleader, appearing for the second respondent. In view of the order we propose to pass in this Writ Appeal, notice to the first respondent is dispensed with.

3. Learned Counsel for the appellant submitted that the learned Single Judge while allowing the Writ Petition and setting aside the impugned order on the ground of violation of principles of natural justice failed to see that the appellant should be given liberty to proceed further in accordance with law.

4. From the order of learned Single Judge, this Court is unable to find any appreciation on merits to set aside the order of termination. The writ petition is allowed and the impugned order is set aside only on the ground that no enquiry was conducted before the order



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of termination. Hence, this Court is of the view that learned Single Judge ought to have given liberty to the appellant to proceed further against the employee in accordance with law.

5. In view of the above, this Writ Appeal is partly allowed. While confirming the order of learned Single Judge, allowing the Writ Petition and by setting aside the order of termination, this Court grants liberty to the appellant to proceed against the writ petitioner by holding an enquiry in the manner known to law. The entire exercise shall be completed within a period of eight week from the date of receipt of a copy of this order. Registry is directed to communicate a copy of this order to the first respondent. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.S.S.R., J.] [S.S.Y., J.]
04.08.2022

Index : Yes / No

sj

To

The Regional Joint Registrar,
Office of the Joint Registrar,
District Collectorate, Dindigul.



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S.S.SUNDAR, J.

and

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