



W.P(MD)No.26890 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26890 of 2022

and

W.M.P.(MD)No.21065 of 2022

G.Meiyar

... Petitioner

Vs.

- 1.The Regional Joint Registrar of C-operative Societies,
Pudukkottai Region,
Pudukkottai,
Pudukkottai District.
- 2.The Deputy Registrar / Public Distribution System,
O/o. Joint Registrar Office,
Pudukkottai.
- 3.M.M.23, Alangudi Agricultural Producers
Cooperative Marketing Society,
Rep. by the Cooperative Sub Registrar / Managing Director,
No.7, Gandhi Society,
Alangudi-622301,
Pudukkottai District.
- 4.The Deputy Registrar / Chief Revenue Officer,
District Central Cooperative Bank Limited,
Pudukkottai.
- 5.The President,
Tamil Nadu Fair Price Shop Employees Association,
Reg.No.SRU 8/2019,



W.P(MD)No.26890 of 2022

District Centre,
Pudukkottai District.

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of the 1st respondent in Na.Ka.4854/2022 Aa.1 dated 26.10.2022 and the consequential impugned summon of the 4th respondent dated 07.11.2022 and quash the same as illegal.

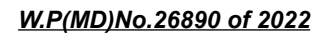
For Petitioner : Mr.P.Kandasamy
For R1 to R3 : Mr.S.Shanmugavel
Additional Government Pleader
For R4 : Mr.D.Shanmugaraja Sethupathy

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned proceedings dated 26.10.2022 issued by the first respondent constituting an enquiry committee to go into the complaint dated 28.09.2022 given by the Employees Association.

3. The petitioner's counsel states that one Mrs.D gave a sexual harassment complaint against the petitioner herein. It was enquired into and punishment was also awarded on the petitioner. The petitioner's counsel would argue that when it has attained finality, on the same cause of action, there cannot be second enquiry.



5. While the employer cannot be prevented from holding an enquiry, whenever an allegation is received against an employee, an employee cannot be vexed with more than once on the same cause of action. Even while sustaining the impugned proceedings, I make it clear that the committee constituted under the impugned proceedings will not go into the allegation earlier made by Mrs.D

29.11.2022

To

<https://www.mhc.tn.gov.in/judis>



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2.The Deputy Registrar / Public Distribution System,
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Cooperative Marketing Society,
Rep. by the Cooperative Sub Registrar / Managing Director,
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