



W.P.No.2444 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.2444 of 2022
and WMP No.2610 of 2022

A.Rajan

...Petitioner

Vs

1. The Registrar of Co-op Societies,
Killpauk, Chennai-600 010.

2. The Joint Registrar/Managing Director,
Triplicane Urban Co-Operative Society Ltd (TUCS Ltd),
No.156, Big Street, Triplicane, Chennai-600 015.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent relating to the order in Na.Ka.No.374/2019/Shortage dated 10.08.2021, quash the same insofar as it relates to the petitioner herein and to issue consequential direction to the respondents to refrain from recovering any amount pursuant to the above order.

For Petitioner : Mr.J.Muthukumaran

For Respondents : Mr.P.Sanjay Gandhi
Government Advocate



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ORDER

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The petitioner herein is one among the ten employees in the impugned order dated 10.08.2021, wherein, it is alleged that there was shortage of stock to the tune of Rs.9,34,214.79 and the petitioner was called upon to remit the said sum within a period of fifteen days.

2. The short ground on which the present writ petition requires to be allowed is that the impugned Memo dated 10.08.2021 has been passed without giving the details as to how the petitioner had caused the shortage as well as on the ground that the order has been passed without giving prior opportunity to the petitioner to put forth his objections to the alleged shortage. The period during which the said shortage, as alleged to be occurred, is also conspicuously absent.

3. In the light of the aforesaid infirmities, the impugned Memo itself could be said to be in violation of principles of natural justice.

4. Accordingly, the impugned Memo dated 10.08.2021 on the file of



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the second respondent is quashed and the writ petition is allowed. No costs.

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Consequently, connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order/Non-speaking order
sr

To

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M.S.RAMESH,J.

Sr

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