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Writ Petition No.26959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

Writ Petition No.26959 of 2015
& MP.No.1 of 2015

S.Dharmaraj

..Petitioner

vs.

1.The Registrar of Co-operative Societies,
170, Periyar EVR Salai,
Kilpakkam, Chennai-600 010

2.The Joint Registrar of Co-operative Societies,
Kancheepuram Region,
Kancheepuram.

3.The Kancheepuram District Consumers
Co-operative Wholesale Stores Ltd.,
rep. by its President,
185, Prakasam Salai,
Chennai – 600 108.

4.The Managing Director,
The Kancheepuram District Consumers
Co-operative Wholesale Stores Ltd.,
185, Prakasam Salai,
Chennai-600 108.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to enforce the provisions contained in Rule 149(3) and the Circular issued



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by him in RC No.26901/96/CC2 dated 16.04.1996 and the order dated 14.07.2015 passed by the second respondent in Na.Ka.No.7925/2014/SAPA under Section 153 of the Co-operative Societies Act and direct the 3rd respondent society and its officials including the 4th respondent to continue the petitioner's services till he complete the age of 60 years as applicable to Packer/Assistant Salesman and as per the Rule as applicable to the Government servant for similar post and cadre, in accordance with the powers vested on him, under Section 181 r/w. Section 155 of the Tamilnadu Co-operative Societies Act, 1983 and Rule 172 of the Tamilnadu Co-operative Societies Rules 1988 and also to initiate appropriate penal action against the respondents 3 & 4 for having violated Rule 149(3), the Circular dated 16.04.1996 of the first respondent and the order dated 14.07.2015 passed by the second respondent.

For Petitioner : Ms.Pozhil Ilaveni for M/s.V.Ajoy
Khose & M.Muthupandian

For Respondents : Mr.C.Sangamithirai, Sp.GP for RR1
& 2
M.Balaramesh, for R3 & 4

ORDER

Today when the matter is taken up for hearing, the learned counsel for the petitioner submits that the relief sought for by the petitioner in this Writ Petition has become infructuous and hence, the same may be dismissed as infructuous.



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2. Recording the submission made by the learned counsel for the petitioner, this Writ Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Index : Yes/No

Speaking order: Yes/No
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To

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Dr.D. NAGARJUN, J



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