



W.P.No.12791 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**W.P.No.12791 of 2022 &
WMP.No.12246 & 12247 of 2022**

P.Mohanram

... Petitioner

Vs

1. The Additional Chief Secretary to Government,
Co-operation, Food and Consumer Protection Department,
Secretariat, Chennai – 600 009.
 2. The Registrar of Co-Operative Societies,
170, E.V.R. High Road, Natarajan Maligai,
Kilpauk, Chennai – 600 010.
 3. The Additional Registrar of Co-operative Societies,
TANFED Building 2nd Floor, No.91, St. Marry's Road,
Abiramapuram, Chennai – 600 018.
 4. The Deputy Registrar of Co-operative Societies [Housing],
Regional Officer, No.18, Ramanathan Street, Chennai – 600 017.
- ... Respondents



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Prayer :- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the fourth respondent herein in his proceedings in Na. Ka. No. 745 / 2021 / c dated 02.03.2022 and quash the same and further issue a direction directing the first respondent to consider the petitioners name for the promotion panel for the year 2020-21 to post of deputy registrar of cooperative societies.

For Petitioner : Mr.G.Chandrasekar

For Respondent : Mr.S.Prabakaran
Government Advocate

ORDER

This Writ Petition has been filed to quash the impugned proceedings of the fourth respondent in proceedings in Na. Ka. No. 745 / 2021/c dated 02.03.2022 and direct the first respondent to consider the petitioners name for the promotion panel for the year 2020-21 to post of deputy registrar of cooperative societies.

2. The allegation against the petitioner in the charge memo is that he has not handed over the enquiry report dated 04.10.2021 and he has



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not taken any action despite the direction by the higher officials. Hence, a charge memo has been issued. The charge memo has been challenged mainly on the ground of malafide. According to the petitioner, since he has not been given an opportunity, he has filed a Writ Petition in W.P.No.18096 of 2021. Despite the Order of this Court, charge memo has been issued. Hence, submitted that the charge memo is only a result of malafide.

3. On a perusal of the charge memo, the specific allegation against the petitioner is that he delayed the enquiry report filed under 81 of Tamilnadu Societies Act and he has not taken any further action. Though it is seen that he has not handed over the file, those are all disputed facts and the same can be looked into only during departmental proceedings and the same cannot be gone into in this Writ Petition. Further, the petitioner has already been permitted to retire on 31.03.2022 with the condition that the disciplinary proceedings shall continue. It is also submitted that the petitioner has already given his explanation.

4. In such view of the matter, the respondent shall conclude the



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disciplinary proceedings within a period of two months from the date of receipt of a copy of this Order.

5. With the above direction, this Writ Petition is dismissed.
Consequently connected miscellaneous petitions are closed. No costs.

02.08.2023

Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

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N.SATHISH KUMAR, J.

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