



W.P.No.26874 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM :

THE HON'BLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.26874 of 2021

M.Krishnamoorthy

... Petitioner

Versus

- 1.The Joint Registrar of Cooperative Societies,
Villupuram Region, Villupuram – 605 602,
Villupuram District.
- 2.The Deputy Registrar of Cooperative Societies,
Villupuram Circle, Villupuram – 605 602,
Villupuram District.
- 3.The President,
CL.SPL-165, Katrampakkam Primary Agricultural
Cooperative Credit Society,
Katrampakkam & Post – 605 109,
Vanur Taluk, Villupuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to disburse the subsistence allowance to the petitioner as per suspension order dated 15.02.2019.



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For Petitioner : Mr. C. Prakasam
For Respondents : Mr. A.M. Ayyadurai, (for R1 & R2)
Government Advocate
: Mr. T.C. Harinath (for R3)

ORDER

The Writ Petition has been filed seeking a direction to direct the respondents to disburse the subsistence allowance to the petitioner as per the suspension order dated 15.02.2019.

2. According to the petitioner, he was appointed as a Salesman in the year 1992 in the third respondent's Society. On certain lapses, he came to be suspended from service by the third respondent on 15.02.2019. Thereafter, a cheque was issued to the petitioner for a sum of Rs.56,908/- on 06.02.2020 towards subsistence allowance that too for a period of February 2019 to October 2019, but, the due was from February 2019 to February 2020. However, later the third respondent called for the cheque issued to the petitioner and forcibly took back the cheque from the petitioner under the guise of reinstating him into the service. The main grievance of the petitioner is that the third respondent has neither reinstated the petitioner



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on service nor disbursed the subsistence allowance. Thereafter, the petitioner made several representations seeking, disbursing of the subsistence allowance, which evoked no response. Hence, the present Writ Petition.

3.Heard the learned counsel on both sides and perused the material records of the case.

4.It is submitted by the learned counsel for the petitioner that though the petitioner has already submitted several representations, now he wants to submit a fresh detailed representation to the respondents praying the respondents to disburse the subsistence allowance to the petitioner from the date of passing of suspension order dated 15.02.2019.

5.In view of the limited prayer now sought for, by the petitioner, without going into the merits of the case, this Court is inclined to direct the third respondent to consider the fresh representation of the petitioner, which will be submitted within a period of two weeks from the date of receipt of a copy of the order and upon such receipt of the same, it shall be



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considered by the third respondent in accordance with the law and on merits and pass appropriate orders, within a period of four weeks.

6.The Writ Petition is disposed of with the above observation and direction. No costs.

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

28.08.2023

klr

To:

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Villupuram District.
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J.SATHYA NARAYANA PRASAD,J.

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