



W.P.No.35239 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.01.2023

Coram:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.35239 of 2022 and W.M.P. No.34701 of 2022

K.Gopalakrishnan

... Petitioner

Vs.

1.The Registrar of Co-op. Societies,
M.V.Natarajan Maaligai,
No.170, Periyar E.V.R.Kilpauk,
Chennai – 600 010.

2.The Joint Registrar of Co-op.Societies,
Common Cadre Chairman,
Villupuram Region,
Villupuram District.

3.President,
CL.SPL.93 – Rettanai Primary Agricultural
Co-op. Society Ltd.,
Tindivanam Taluk,
Tindivanam.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent to dispose of the petitioner's Revision against his dismissal order passed by the second respondent in Na.Ka.No.9255/2019 Tho.Ve.Sa. Dated 05.03.2020 within a time frame that may be stipulated by this Court.



W.P.No.35239 of 2022

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.E.Sundaram,
Government Advocate
for R1 and R2

Mr.K.Tamilvendan,
Government Advocate for R3

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to dispose of the petitioner's Revision against his dismissal order passed by the second respondent in Na.Ka.No.9255/2019 Tho.Ve.Sa. Dated 05.03.2020, within a time frame to be fixed by this Court.

3.The limited relief the petitioner is seeking is for early disposal of his revision petition pending on the file of the first respondent. Aggrieved by the order dated 05.03.2020 passed by the second respondent dismissing him from service, the petitioner has filed the Revision Petition before the first



W.P.No.35239 of 2022

respondent, which according to the petitioner, is still pending. The petitioner's other grievance is that he has also not been paid his subsistence allowance till date even though he has been suspended for the period from 15.03.2019 to 26.01.2020 and 05.03.2020 to 24.08.2022.

4.Heard Mr.R.Karunagaran, learned counsel for the petitioner, Mr.E.Sundaram, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2 and Mr.K.Tamilvendan, learned Government Advocate, who accepts notice on behalf of the third respondent.

5.No prejudice would be caused to the respondents if a direction is issued to the first respondent to pass final orders, on merits and in accordance with law on the petitioner's Revision Petition as stated supra, within a time frame to be fixed by this Court. Insofar as the non-payment of subsistence allowance is concerned, the respondents will have to consider the request of the petitioner, on merits and in accordance with law in the

light of the recommendation dated 29.01.2021 made by the Deputy



W.P.No.35239 of 2022

Registrar of Co-operative Societies.

WEB COPY

6.For the foregoing reasons, this Court directs the first respondent to pass final orders, on merits and in accordance with law in the petitioner's Revision Petition filed by him, within a period of twelve weeks from the date of receipt of a copy of this order. A direction is also issued to the first respondent to consider the request of the petitioner for payment of the subsistence allowance for the period from 15.03.2019 to 26.01.2020 and 05.03.2020 to 24.08.2022 in the light of the recommendation dated 29.01.2021 made by the Deputy Registrar of Co-operative Societies, which has been filed by the petitioner as a document along with this writ petition.

7.With the aforesaid directions, this writ petition is disposed of. Consequently, W.M.P. No.34701 of 2022 stands closed. No costs.

03.01.2023

vga
Index:Yes/No



W.P.No.35239 of 2022

To

WEB COPY

- 1.The Registrar of Co-op. Societies,
M.V.Natarajan Maaligai,
No.170, Periyar E.V.R.Kilpauk,
Chennai – 600 010.
- 2.The Joint Registrar of Co-op.Societies,
Common Cadre Chairman,
Villupuram Region,
Villupuram District.
- 3.President,
CL.SPL.93 – Rettanai Primary Agricultural
Co-op. Society Ltd.,
Tindivanam Taluk,
Tindivanam.



WEB COPY



W.P.No.35239 of 2022

ABDUL QUDDHOSE, J

vga

W.P.No.35239 of 2022 and W.M.P. No.34701 of 2022

03.01.2023