



W.P(MD)No.6574 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6574 of 2023
and
W.M.P(MD)Nos.6240 & 6241 of 2023

S.Susila

... Petitioner

Vs

1.The Deputy Registrar,
Palani,
Dindigul District.

2.The Co-operative Sub Registrar /
Managing Director,
Kodaikanal,
Dindigul District.

3.The President,
A1265, Pannaikadu Primary Agrisulture
Co-operative Credit Society,
Pannaikadu,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned orders dated 23.12.2022 passed by the third respondent vide his proceedings Nil and quash the same as illegal.



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For Petitioner : Mr.C.Mayilvahana Rajendran
For Respondents : Mr.R.Ragavendran
Government Advocate for R.1 & R.2

ORDER

Heard the learned counsel on either side.

2.The petitioner is employed as Clerk in the third respondent Society. By the impugned order, the president of the Society has imposed punishment of stoppage of increment for two years without cumulative effect.

3. The contention of the learned counsel appearing for the petitioner is that since the petitioner levelled allegation of sexual harassment against the Secretary of the Society, the impugned order was passed as counter blast. This issue can very well be raised by the petitioner before the appellate authority. The petitioner is permitted to file an appeal under Section 153 of the Tamil Nadu Co-operative Societies Act before the appellate authority. If such appeal is filed within a period of two weeks from the date of receipt of a copy of this order, it shall be entertained without reference to limitation. The appellate authority shall dispose of the appeal on merits and in accordance with law after notice to the Management of the Society within a period of eight weeks thereafter. All the contentions and defences of the petition are left open.



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4. This writ petition is disposed of accordingly. There shall be no order

as to costs. Consequently, connected miscellaneous petitions are closed.

27.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Deputy Registrar,
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Dindigul District.

2.The Co-operative Sub Registrar /
Managing Director,
Kodaikanal,
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G.R.SWAMINATHAN, J.

MGA

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