



WEB COPY



W.A.(MD)No.953 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.A.(MD)No.953 of 2021

an

C.M.P.(MD)No.4305 of 2021

1.The President,
TNSPL 120, Kuruvikulam Primary Agricultural
Co-operative Credit Society Ltd.,
Kurvikulam-627 754, Thiruvengkatam,
Tirunelveli District.

2.K.Ramasubbu

Vs.

... Appellants

1.R.Ravindran

2.The Joint Registrar of Co-operative Societies,
Joint Registrar Office, Sarvanganar Street,
Palayamkottai, Tirunelveli District.

3.The Deputy Registrar of Co-operative Societies,
Deputy Registrar Office,
No.9, UC Maharaja Nagar,
Tirunelveli District.

... Respondents



W.A.(MD)No.953 of 2021

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the orders passed in W.P.(MD)No.5446 of 2021, dated 12.03.2021 on the file of this Court.

For Appellants : Mr.S.Kumar
For R1 : No Appearance
For R2 & R3 : Mr.S.P.Maharajan,
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by ***S.M.SUBRAMANIAM, J.***)

This Writ Appeal has been directed against the order dated 12.03.2021 passed in W.P.(MD)No.5446 of 2021.

2.The 1st respondent filed Writ proceedings, challenging the order of suspension issued by the 1st appellant, namely, the President, Kuruvikulam Primary Agricultural Co-operative Credit Society Ltd., which is a Co-operative Society registered under the Tamil Nadu Co-operative Societies Act, 1983. The learned Single Judge directed the authorities competent to consider the representation submitted by the 1st respondent, in the light of the judgment of the Apex Court in the case of ***Ajay Kumar Choudhary Vs. Union of India*** reported in



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(2015) 7 SCC 291. However, the said judgment has been subsequently clarified by the subsequent judgments of the Apex Court and period of three months stipulated in the judgment is not mandatory.

3.In the present case, the learned counsel appearing for the appellants brought to our notice that the 1st respondent was already dismissed from service during the pendency of this appeal on 01.10.2021. This being the factum, the cause did not exist. Thus, no further adjudication is required in this appeal. Accordingly, this Writ Appeal stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

(S.M.S., J.) & (V.L.N., J.)
05.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Yuva

To

1.The Joint Registrar of Co-operative Societies,
Joint Registrar Office, Sarvanganar Street,
Palayamkottai, Tirunelveli District.

2.The Deputy Registrar of Co-operative Societies,
Deputy Registrar Office,
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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

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