



W.P.(MD).No.24051 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24051 of 2023

A.Sarojini

Vs.

... Petitioner

1. The Secretary to the Government,
Co-operation,
Food & Consumer Protection Department,
Fort St.George, Chennai.
 2. The Joint Registrar of Cooperative Society,
Kanyakumari District,
Kanyakumari Region at Nagercoil,
Kanyakumari District.
 3. The Deputy Registrar of Cooperative Society,
Thuckalai Circle, Thuckalai Post,
Kanyakumari District.
 4. The President/Secretary,
Y.256 Kulasekaram Primary Agricultural Cooperative Bank,
Kulasekaram Post,
Kanyakumari District.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus directing the respondents 2 to



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4 herein to consider the petitioner's application dated 12.05.2023 and hereby reinstated with all the attained back benefits of the petitioner in the fourth respondent Society.

For Petitioner : Mr.Francis Xavier
For Respondents : Mr.J.Ashok
Additional Government Pleader
For R1 to R3
: Mr.K.P.Krishnadoss – for R4

ORDER

The present Writ Petition has been filed by the Assistant Secretary of the fourth respondent Co-operative Society seeking a mandamus directing the respondents 2 to 4 herein to consider her representation, dated 12.05.2023 and reinstate her along with all the attendant benefits.

2. According to the learned counsel appearing for the writ petitioner, the petitioner was implicated in a criminal case in Crime No.4 of 2003 and charge sheet was filed before the Judicial Magistrate Court No.II, Tirunelveli (CCIW Special Court) as C.C.Nos.98 to 102 of 2005, 104 of 2005 and 105 of 2005. After trial, the petitioner was acquitted on 03.02.2023.



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3. The petitioner has been placed under suspension from 22.04.2002 onwards, citing the pendency of the criminal case. After the acquittal from the criminal case, the petitioner has submitted a representation to the respondents 2 to 4 herein on 12.05.2023 to revoke the order of suspension and reinstate her with all the attendant benefits. Since the representation has not been considered, the present writ petition has been filed.

4. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

5. Considering the fact that the petitioner has been acquitted from the criminal case, this Court is inclined to direct the fourth respondent herein to consider the representation of the petitioner, dated 12.05.2023 in the light of the acquittal order passed by the criminal Court and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Secretary,
Co-operation, Food & Consumer Protection Department,
Fort St.George, Chennai.
2. The Joint Registrar of Cooperative Society,
Kanyakumari District,
Kanyakumari Region at Nagercoil,
Kanyakumari District.
3. The Deputy Registrar of Cooperative Society,
Thuckalai Circle, Thuckalai Post,
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R.VIJAYAKUMAR,J.

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