



W.P(MD)No.26093 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26093 of 2023

K.Mani

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Office of the Joint Registrar of Registrar of
Co-operative Societies,
Ramanathapuram District.

2.The Deputy Registrar of Co-operative Societies,
Paramakudi Division,
Ramanathapuram District.

3.The President,
Q 1240 of Muthalur Primary Agricultural
Co-operative Credit Society,
Muthalur,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent, dated 04.02.2020 and quash the same and consequently directing the respondents to



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allow the petitioner to join duty under the respondents Society with all monetary.

(Prayer amended vide Court order, dated 29.11.2023 in W.M.P(MD)No.24328 of 2023 in W.P(MD)No.26093 of 2023)

For Petitioner : Mr.C.Jeganathan
For R-1 & R-2 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The petitioner herein is the Secretary of a Co-operative Credit Society and he was placed under suspension on certain charges on 04.02.2020. The petitioner had initially filed the present writ petition with a prayer for a Mandamus for disbursal of the subsistence allowance. Considering the fact that the suspension order is operating for the past period of three years, the petitioner has filed an amendment application seeking to quash the order of suspension.

2. The petitioner had suffered an order under Section 87 of the Tamil Nadu Co-operative Societies Act, 1983 on 08.04.2021. As per the said order, the petitioner was liable to pay a sum of Rs.34,87,134/-. The petitioner has paid the entire amount in installments and the final installment was paid on



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24.03.2021. Therefore, it is clear that the entire liability that was saddled upon the writ petitioner under the surcharge proceedings has been paid by the writ petitioner.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that though the entire award amount has been remitted, the interest portion has not yet been remitted.

4. Considering the fact that the entire award amount has been remitted, the order of suspension, dated 04.02.2020 is hereby quashed and the respondents are directed to reinstate the petitioner with all attendant benefits. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

5. This writ petition stands allowed to the extent as stated above. There shall be no order as to costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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- 2.The Deputy Registrar of Co-operative Societies,
Paramakudi Division,
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R.VIJAYAKUMAR, J.

BTR

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