



WEB COPY



W.P.No.1732 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1732 of 2024
and W.M.P.Nos.1777 and 1791 of 2024

S.Prakash

.. Petitioner

Versus

1. The Deputy Registrar of Cooperative Societies,
Salem Region,
Salem.

2. The Administrator,
S.402, Yercaud LAMP Cooperative Society,
Jarinakadu, Yercaud Taluk,
Salem District - 636 601.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the entire records of the impugned order passed by the 1st respondent in Na.Ka.No.2898/2023 Tha.Va.Sa., dated 04.10.2023 and consequential order passed by the 2nd respondent vide proceeding, dated 06.10.2023 and quash the same and direct the respondents to pay the salary as fixed by the elected board of 2nd respondent management vide resolution No.05, dated 10.12.2021.



W.P.No.1732 of 2024

For Petitioner : Mr.R.Suryaprakash

For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

This Writ Petition is filed challenging the order, dated 04.10.2023 passed by the Deputy Registrar of Co-operative Societies and the consequential order passed by the concerned Co-operative Society.

2. By the order impugned in the Writ Petition, the Deputy Registrar directed the downward revision of the pay of the petitioner and also ordered recovery of the excess amount and report the matter back to the Deputy Registrar. Therefore, it can be seen that the impugned order, dated 04.10.2023 visits the petitioner with civil consequences and as such, cannot be passed without complying with the principles of natural justice.

3. In view thereof, this Writ Petition is allowed on the following terms

:-



W.P.No.1732 of 2024

WEB COPY

(i) The impugned order of the first respondent, dated 04.10.2023 and the consequential order of the second respondent, dated 06.10.2023 shall stand quashed;

(ii) However, the respondents will be at liberty to carry out the exercise afresh and if the respondents choose to do so, they shall issue a show-cause notice and afford an opportunity of a personal hearing to the petitioner;

(iii) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

29.04.2024

Index : yes
Speaking order
Neutral Citation : no
grs

To

1. The Deputy Registrar of Cooperative Societies,
Salem Region,
Salem.
2. The Administrator,
S.402, Yercaud LAMP Cooperative Society,
Jarinakadu, Yearcadu Taluk,
Salem District - 636 601.



WEB COPY



W.P.No.1732 of 2024

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.1732 of 2024
and W.M.P.Nos.1777 and 1791 of 2024

29.04.2024