



W.P.No.27190 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2024

CORAM:

**THE HONOURABLE MR. JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P.No.27190 of 2013

The Dharmapuri District
Central Co-operative Bank
Rep. by its Managing Director
Dharmapuri.

...Petitioner

Vs

1. The Joint Registrar of Co-operative Societies
Dharmapuri Region
Dharmapuri.

2. P.Komala
Dharmapuri District
Central Co-operative Bank
Kaveripattinam Branch
Kaveripattinam.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorari, to call for the records of the 1st respondent in
Na.Ka.No.2489/2012/Sa.Pa dated 14.03.2013 and quash the same.

For Petitioner : Mr.M.S.Palaniswamy
For Respondent : Mr.A.Anandan



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Government Advocate for R1

ORDER

The writ petition is filed challenging the order dated 14.03.2013 in and by which the revision filed by the second respondent under Section 153 of the Tamil Nadu Cooperatives Act, 1988 was partly allowed and punishment imposed on the second respondent originally by an order dated 28.01.2012 was modified as one of censure.

2. On 11.02.2011, a charge memo was issued on the second respondent containing three charges. The first charge is that the second respondent did not attain the target of business to the tune of Rs.187.69 Lakhs. He attained only Rs.155.34 Lakhs. The charge Nos.2 and 3 are also consequential charges of not reaching the target. After a detailed enquiry, by an order dated 28.01.2012, the Disciplinary Authority imposed punishment of stoppage of increment for six months without cumulative effect. The second respondent submitted a revision before the first respondent. Upon considering the case on merits, the first respondent while declining to quash the punishment, modified the



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punishment from stoppage of increment for six months to one of censure.

Aggrieved by that, the Management has filed the present writ petition.

3. Heard the learned counsel for the petitioner and learned Government Advocate for the first respondent.

4. On a perusal of the records, it can be seen that the charge relates to not attaining the target, that too, to the tune of Rs.32 Lakhs. In that view of the matter, considering the detailed explanation and very many grounds raised by the petitioner, the Disciplinary Authority itself imposed only a minor punishment of stoppage of increment for six months. The Revisional Authority further considering the attendant facts and circumstance, by exercising its discretion modified the punishment as one of censure. The said exercise cannot be termed as wholly without jurisdiction or perverse considering the nature of the charge. Therefore, I am unable to interfere with the impugned order.



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5. Accordingly, finding no merits, this Writ petition stands dismissed. There shall be no order as to costs.

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Index:Yes
Speaking order
Neutral Citation : No

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To

The Joint Registrar of Co-operative Societies
Dharmapuri Region
Dharmapuri.

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