



W.P.No.14643 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14643 of 2024
and W.M.P.No.15907 of 2024

S.Durairajan

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Cuddalore Region, Cuddalore.

2. The Deputy Registrar of Co-operative Societies,
Chidambaram Circle, Chidambaram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in Na.Ka.No.4183/2014/pa dated 23.04.2024 quash the same and consequentially direct the respondents to allow the petitioner to retire from service with effect from 30.06.2016 and pay all retirement benefits, monthly pension with statutory interest @ 12% p.a.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.P.Ganesan

Additional Government Pleader



W.P.No.14643 of 2024

ORDER

WEB COPY This writ petition is filed challenging the order dated 23.04.2024, in and by which, the petitioner is imposed with a punishment of dismissal from service.

2. As against the said punishment, the petitioner has an effective alternative appeal remedy before the Registrar of Co-operative Societies. But, at the same time, considering the fact that the petitioner is dismissed from service, the petitioner will be entitled for the payments of GPF and SPF own contribution.

3. In that view of the matter, when the matter came up for admission, the learned Additional Government Pleader appearing for the respondents was directed to get instructions and the matter was passed over.

4. When the matter was again called in the afternoon, the learned Additional Government Pleader has produced the written instructions vide Na.Ka.No.4183/2014/pa, dated 05.06.2024, in which, it is agreed that the said GPF and SPF own contribution will be paid.



W.P.No.14643 of 2024

5. In that view of the matter, this writ petition is disposed of on the following terms:

1. The petitioner shall file an appeal before the Registrar of Co-operative Societies within a period of two(2) weeks from the date of receipt of a copy of this order.
2. Upon such filing of the appeal, the same shall be considered within the time and the same shall be considered in accordance with law, on its own merits and be disposed of within a period of two(2) months thereafter.
3. In the meanwhile, the GPF and SPF own contribution amounts due to the petitioner shall be disbursed within a period of two(2) weeks from the date of receipt of a copy of this order.
4. No costs. Connected miscellaneous petition is closed.

05.06.2024

Neutral Citation: Yes/No
mp

Note: Registry is directed to return the original impugned order as the photo copy of the same has already been placed in the typed set of papers.



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W.P.No.14643 of 2024

D.BHARATHA CHAKRAVARTHY, J.

mp

To

1. The Joint Registrar of Co-operative Societies,
Cuddalore Region, Cuddalore.
2. The Deputy Registrar of Co-operative Societies,
Chidambaram Circle, Chidambaram.

W.P.No.14643 of 2024

05.06.2024