



W.P.No.15400 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15400 of 2024
and W.M.P.No.16749 of 2024

B.S.Venkatesan

...Petitioner

-Vs-

1. The Chairman,
Common Cadre Authority/
Joint Registrar of Cooperative Societies,
Krishnagiri Region,
Krishnagiri,
Krishnagiri District.

2. The President,
D.K.80, Berigai Primary Agricultural
Cooperative Credit Society,
Sulagiri Road,
Berigai – 635 105,
Sulagiri Taluk,
Krishnagiri District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.466/2021 Po.Pa.Ni.Thi dated 01.03.2024 and quash the same and consequently directing the



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respondents to fix the revision of pay scale and disburse the salary for the period from 01.04.2018 to 24.10.2018 comes around Rs.4,67,375/- together with interest to the petitioner.

For Petitioner	: M/s R.Hemalatha
For R1	: Mr.K.Krishna Raja Additional Government Pleader
For R2	: No appearance

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 01.03.2024, thereby rejected the request made by the petitioner to fix the revision of pay scale from 01.04.2018 to 24.10.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and perused the materials available on record. Though notice served on the second respondent and the name has been printed in the cause list, today, no one appeared before this Court on behalf of the second respondent either by person or through pleader.



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3. The petitioner, while he was discharging duty as Secretary of the second respondent, was suspended from service on 24.10.2018, pursuant to the complaint that he had misappropriated huge amount from the second respondent Society. The petitioner claims that while he was working as Secretary for the period from 01.04.2018 to 24.10.2018, he was not paid any salary and his salary was also not revised and not disbursed for the period from 01.04.2018 to 24.10.2018. Therefore, the petitioner submitted a representation and the same was not considered and as such, the petitioner approached this Court and this Court, directed to consider the representation on merits and in accordance with law. After due enquiry, the first respondent rejected the claim made by the petitioner, on the ground that already the petitioner is facing enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act. The petitioner and others caused loss to the Society to the tune of Rs.6.47 Crores by misappropriation of funds.

4. That apart, already there was recovery from the petitioner to the tune of Rs.12 Crores by attaching the property. Further, his wife had



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availed loan and failed to disburse the same. Therefore, the disciplinary proceedings is pending as against the petitioner and as such, the request made by the petitioner was rightly rejected and this Court finds no infirmity or illegality in the order passed by the first respondent and the writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

25.07.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J.

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