



WEB COPY



W.P.No.22069 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2024

CORAM:

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

W.P.No.22069 of 2022

P.Sarangapani

... Petitioner

Vs.

1.The Joint Registrar of Cooperative Societies,
Office of Cooperative Societies,
Tiruvallur

2.The Deputy Registrar of Cooperative Societies,
Office of Cooperative Societies,
Tiruvalur

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to consider the petitioner's representation dated 16.06.2022 and to initiate appropriate action to pay the subsistence allowance due to him at the rate to which he is eligible with arrears.

For Petitioner : Mr.P.Anbarasan

For Respondents : Mr.C.Selvaraj

ORDER

This writ petition has been filed for direction to the respondents to consider the representation dated 16.06.2022 seeking subsistence allowance due to the petitioner during his suspension period.



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Heard, the learned counsel appearing on either side.

3. The petitioner was working as Senior Inspector of Cooperative Societies in the Office of the Deputy Registrar of Cooperative Societies, Tiruvallur. While he was in service, he committed irregularity and as such, a criminal case was registered against him in crime No.1 of 1999. After filing final report, the same has been taken cognizance in CC.No.284 of 2000 on the file of the Judicial Magistrate-II, Poonamallee on the charge of misappropriation. In pursuant to the criminal case, the petitioner was suspended from service and he was paid subsistence allowance till the disposal of the criminal case. The case ended in conviction in CC.No.284 of 2000 by the judgment dated 30.12.2021 for the offence under Sections 409 and 477 of IPC and sentenced him to undergo rigorous imprisonment for six months and to pay fine of Rs.10,000/-. Therefore, the petitioner was issued show cause notice dated 12.07.2022. However, the petitioner failed to submit his explanation and the final order is yet to be passed in the disciplinary proceedings.

4. In the light of the order of conviction, the petitioner is not entitled for any subsistence allowance. As such, this writ petition itself is devoid of



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merits and liable to be dismissed. Accordingly, this writ petition is dismissed.

There shall be no order as to costs.

19.01.2024

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order
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To

- 1.The Joint Registrar of Cooperative Societies,
Office of Cooperative Societies,
Tiruvallur
- 2.The Deputy Registrar of Cooperative Societies,
Office of Cooperative Societies,
Tiruvalur

G.K.ILANTHIRAIYAN, J.

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