



Writ Petition No.22775 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.22775 of 2024

and

W.M.P.No.24805 of 2024

D.P.Madheswaran
S/o.Periyasamy

... Petitioner

Vs.

- 1.The Joint Registrar of Co-op. Societies,
Krishnagiri Region,
Krishnagiri District.
- 2.The Co-op. Sub Registrar/Field Officer,
Vepanapally Block, Enquiry Officer,
S.656, Bairamangalam Primary Agricultural
Co-op. Credit Society,
O/o.Deputy Registrar of Co-op. Societies,
Krishnagiri, Krishnagiri District.
- 3.S.656, Bairamangalam Primary Agricultural
Co-op. Credit Society,
represented by its Administrator,
Bairamangalam, Denkanikottai Taluk,
Krishnagiri District - 635 113.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation dated 27.05.2024 and 21.06.2024 made



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by the petitioner herein to pay the remaining subsistence allowance from 01.02.2023 to 01.06.2024, to an extent of Rs.2,88,000/- and furnish the required documents before the independent domestic enquiry officer at the time of domestic enquiry conducted to the petitioner herein.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.P.Ganesan,
Government Advocate [R1]
Mrs.V.Yamunadevi
Special Government Pleader [R2 & R3]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing respondents 1 and 2 to consider the representation made by the petitioner wherein the petitioner has sought for remaining subsistence allowance due and payable to an extent of Rs.2,88,000/- and a further direction to the third respondent to furnish the required documents that are being relied upon in the enquiry.

2. Heard Mr.T.Sundaravadanam, learned counsel for petitioner and Mr.P.Ganesan, learned Government Advocate appearing for first respondent and Mrs.V.Yamunadevi, learned Special Government Pleader appearing for respondents 2 and 3.



3. The case of the petitioner is that while he was working as a Secretary of the third respondent Society, disciplinary proceedings were initiated. The grievance of the petitioner is that he was suspended and subsistence allowance was not properly paid to him. That apart, the documents that are relied upon are not being furnished to the petitioner and as a result, the petitioner is not in a position to effectively defend himself before the Enquiry Officer. In view of the same, the petitioner submitted representations to respondents 1 and 2. Since the same did not evoke any response, the present writ petition has been filed.

4. Considering the limited scope of the writ petition, there shall be a direction to the third respondent to pay the arrears of subsistence allowance that is due and payable to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. That apart, the subsistence allowance to which the petitioner is entitled to, due to his continued suspension, shall also be paid to him regularly without any default.

5. It goes without saying that whatever materials/documents are relied upon during the enquiry, should be furnished to the petitioner



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order to enable the petitioner to effectively defend himself before the Enquiry Officer. This clarity will sufficiently take care of the grievance expressed by the petitioner.

This writ petition is disposed of with a direction to the third respondent to go ahead with the enquiry after duly complying with the above directions issued by this Court. No costs. Consequently, connected miscellaneous petition is closed.

13.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

- 1.The Joint Registrar of Co-op. Societies,
Krishnagiri Region, Krishnagiri District.
- 2.The Co-op. Sub Registrar/Field Officer,
Vepanapally Block, Enquiry Officer,
S.656, Bairamangalam Primary Agricultural
Co-op. Credit Society, O/o.Deputy Registrar of Co-op. Societies,
Krishnagiri, Krishnagiri District.
- 3.S.656, Bairamangalam Primary Agricultural
Co-op. Credit Society,
represented by its Administrator,



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Bairamangalam, Denkanikottai Taluk, Krishnagiri District - 635 113.

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