



W.P.No.26251 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM:

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

W.P.No.26251 of 2022 and
WMP.No.25336 of 2022

D.Palanisamy

... Petitioner

Vs.

- 1.The Chairman,
Common Cadres Authority/
Joint Registrar of Cooperative Societies,
Office of the Joint Registrar of Cooperative Societies,
Salem Region, Salem, Salem District
- 2.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of
Cooperative Societies,
Omalur Circle, Omalur, Salem District
- 3.The President,
S.768, Kethunayakkanpatti Pudur Primary
Agricultural Cooperative Credit Society Ltd.,
K.Modur Post, Kadaiyampatti Taluk,
Salem District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the first



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respondent in his proceedings No.Na.Ka.10974/2021 MaVa dated 30.04.2022 and quash the same and consequently direct the respondents to disburse the petitioner's backwages along with the retirement benefits like Gratuity, General Provident Fund, Special Provident Fund, Encashment Earned Leave and Unearned Leave on Private Affairs to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents

For R1 & 2 : Mr.S.Arumugam,
Government Advocate

For R3 : No appearance

ORDER

This writ petition has been filed challenging the order dated 30.04.2022 of the first respondent thereby reverted the petitioner from the post of Secretary to Assistant Secretary of the Cooperative Society.

2. Though the petitioner challenged the order of punishment, the learned counsel appearing for the petitioner restricted the prayer to settle the petitioner's terminal benefits since he retired from service on attainment of age of superannuation on 31.05.2022.

3. In view of the above submission, the impugned order dated



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30.04.2022 passed by the first respondent is hereby confirmed and this writ petition is dismissed. The first respondent is directed to settle the petitioner's all terminal benefits by taking into consideration of the suspension period as continuous service for the purpose of pension and other benefits except salary for those period with interest at the rate of 6% per per annum within a period of eight weeks from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

22.07.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
IOk



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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Chairman,
Common Cadres Authority/
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