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W.P.No.37055 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.37055 of 2024

A.Thambu

...Petitioner

Vs

1.The Regional Joint Registrar of
Co-operative Societies-I,
Coimbatore Region,
Coimbatore - 641 003.

2.The Sub Registrar of Co-operative Society/
Executive Officer,
K-1948, Coimbatore Agricultural Production
Producers Co-operative Sale Society Ltd.,
Coimbatore.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to consider and pass orders on the petitioner's appeal dated 12.09.2024 against the order of punishment of dismissal from service vide proceedings dated 30.08.2024 issued on the verge of petitioner's retirement on 30.09.2024 and to consider the same on merits and in accordance with law and pass appropriate orders within a stipulated time frame as fixed by this Court.



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For Petitioner	: M/s.S.Madhu Balaji
For Respondents	: Mr. A. Anandan for R1 Government Advocate Mr.V.Veluchamy for R2 Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a writ of Mandamus directing the first respondent herein to consider and pass orders on the petitioner's appeal dated 12.09.2024 against the order of punishment of dismissal from service vide proceedings dated 30.08.2024 issued on the verge of petitioner's retirement on 30.09.2024 and to consider the same on merits and in accordance with law and pass appropriate orders within a stipulated time frame as fixed by this Court.

2. Mr. A. Anandan, Government Advocate takes notice for the Respondent and Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the second respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner was rendering the basic service of watchman and the respondents have appointed the petitioner as regular staff on 01.09.1992 since then he was working as



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Night Watchman for the past 32 years. When the petitioner is on the verge of retirement, he has been deliberately issued with the order of dismissal from service. Aggrieved by the same, the petitioner preferred a detailed appeal dated 12.09.2024 to the 1st respondent, against the aforesaid order of dismissal issued by the 2nd respondent, on various grounds. However, there is no progress in the Appeal and the same is pending till date. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first respondent to dispose of the Appeal Petition filed by the petitioner on 12.09.2024 and pass orders.

5. The learned Government Advocate appearing for the respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case, this Court directs the second respondent to dispose the Appeal Petition filed by the petitioner on 12.09.2024 after conducting an enquiry by affording reasonable opportunity of hearing to the petitioner as well as the



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concerned parties and pass orders within a period of sixteen weeks or as expeditiously as possible from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

11.12.2024

Index: Yes/No
Speaking order/Non-speaking order
msv

To

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V.BHAVANI SUBBAROYAN,J.

msv

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