



WEB COPY



W.P.No.32673 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2024

CORAM:

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

W.P.No.32673 of 2023

and

WMP.Nos.32282 & 32283 of 2023

R.Shankar

... Petitioner

Vs.

1.Cooperative Sub Registrar/

The Administrator,

C1363, Kalanthira Chettiapannur Primary

Agricultural Cooperative Credit Society Limited,

Chettiapannur, Vaniyambadi,

Tirupattur District

2.The Enquiry Officer,

O/o.C1363, Kalanthira Chettiapannur Primary

Agricultural Cooperative Credit Society Limited,

Chettiapannur, Vaniyambadi,

Tirupattur District

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records from the respondents relating to the impugned charge memo dated 03.10.2003 and to quash the same.

For Petitioner

: Mr.K.Arunbabu

For Respondents

For R1 & 3

: Dr.T.Seenivasan,

Special Government Pleader



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For R2

: Mr.K.Karthik Jagannath,
Government Advocate

ORDER

This writ petition has been filed challenging the charge memo dated 03.10.2003 issued by the second respondent.

2. The petitioner was appointed as Packer and promoted to the post of Salesman in the first respondent credit society. While being so, the third respondent by the proceedings dated 17.09.2019 ordered for enquiry as contemplated under Section 81 of the Tamilnadu Cooperative Societies Act, 1983. On the basis of the enquiry report, a police complaint was lodged. In pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody. On the date of arrest, he was deemed to be suspended from service. Thereafter, the petitioner was served with charge memo. However, he was not served with documents and as such, he could not able to submit his explanation. Hence, the petitioner has challenged the very charge memo itself in this writ petition.

3. The first respondent appeared before this Court and submitted that the petitioner was also served with letter to receive the documents which are connected to the charge memo.



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4. In view of the above, the petitioner is directed to approach the first respondent within a period of one week and the first respondent is directed to furnish all the copies of the documents that are relevant to the charge memo forthwith. On receipt of the same, the petitioner is at liberty to submit his explanation. On receipt of the explanation, the first respondent is at liberty to proceed with the domestic enquiry.

5 With the above observations, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

18.01.2024

Index :Yes/No

(2/2)

Internet : Yes/No

Speaking order/non-speaking order
lok

G.K.ILANTHIRAIYAN, J.



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To

- 1.Cooperative Sub Registrar/
The Administrator,
C1363, Kalanthira Chettiapannur Primary
Agricultural Cooperative Credit Society Limited,
Chettiapannur, Vaniyambadi,
Tirupattur District
- 2.The Enquiry Officer,
O/o.C1363, Kalanthira Chettiapannur Primary
Agricultural Cooperative Credit Society Limited,
Chettiapannur, Vaniyambadi,
Tirupattur District

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