



W.P.(MD).No.4291 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.4291 of 2023

K.Seenivasan

... Petitioner

VS

1.The Joint Registrar/Chairman of
Co-operative Societies of Thanjavur
Alivalam Common Cadre Service Authority,
O/o.The Joint Registrar/Chairman of
Co-operative Societies,
Medical College Road, Thanjavur,
Thanjavur District.

2.The Deputy Registrar of Co-operative Societies,
Pattukottai Region,
No.8, Jayaraj Complex, 2nd Floor,
Chinnaiah Street, Pattukottai,
Thanjavur District.

3.The President,
T.A.69, Alivalam PACCA,
Kurichi, Kurichi Post,
Pattukottai Taluk,
Thanjavur District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent / Joint Registrar of Co-operative Societies, Pattukottai Region, in ந.க.4998/2022/தொ.வே.கூ.க.ச dated 09.02.2023 (delivered on 17.02.2023) and quash the same and issue a consequential direction to the respondents to reinstate the petitioner in service and also treat the period of suspension as duty period for all purposes and to pay all the consequential and attendant monetary, service and other benefits.

For Petitioner	: Mr.N.Dilip Kumar
For Respondents Nos.1 & 2	: Mr.S.Shanmugavel Additional Government Pleader
For Respondent No.3	: No appearance

ORDER

The instant writ petition has been filed by a Secretary of Co-operative Societies, challenging the order of his suspension dated 09.02.2023, primarily on the ground that the order has been passed by the Joint Registrar of the Co-operative Societies in his individual capacity without a resolution being passed by the Common Cadre Committee.



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2. The learned Government Pleader appearing for the respondents has produced a copy of the resolution passed by the Common Cadre Committee dated 30.01.2023, wherein, in resolution No.5, it was decided to place the petitioner under suspension.

3. Therefore, it is clear that the order impugned in this writ petition has not been passed by the Joint Registrar of Co-operative Societies in his individual capacity, but only by the Common Cadre committee. It is also brought to the notice of this Court that, the disciplinary proceedings as against the writ petitioner have been concluded and the petitioner has been imposed with a punishment of stoppage of one increment for a period of two years without cumulative effect. The period of suspension has been treated as period of no work no pay.



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4. In view of the above said subsequent developments, nothing survives to be adjudicated in this writ petition. Hence, this writ petition is disposed of with a liberty to the petitioner to challenge the punishment order dated 25.10.2024, if he so advised. No costs.

28.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
gvn



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R.VIJAYAKUMAR,J.

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