



W.P(MD)Nos.8466 & 8471 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.8466 & 8471 of 2019

W.P(MD)No.8466 of 2019 :-

K.Muthuvel Samy

... Petitioner

Vs

1.The Deputy Registrar of Co-Operative Societies,
2/96F, Singara Thoppu,
Melachathiram, Paramakudi,
Ramanathapuram District.

2.The President,
Q1283 Kidathirukkai Primary Agricultural
Co-Operative Credit Society,
Mudukulathur Taluk,
Ramanathapuram District.

...Respondents

W.P(MD)No.8471 of 2019 :-

K.Muthuvel Samy

... Petitioner

Vs

1.The Deputy Registrar of Co-Operative Societies,
2/96F, Singara Thoppu,
Melachathiram, Paramakudi,
Ramanathapuram District.



W.P(MD)Nos.8466 & 8471 of 2019

2. The President,
Q1283 Kidathirukkai Primary Agricultural
Co-Operative Credit Society,
Mudukulathur Taluk,
Ramanathapuram District.

3. Muthu Chellapandiyan,,
S/o Lakshmana Thevar,
Senior Clerk,
Q1283 Kidathirukkai Primary Agri. Co-Operative
Credit Society,
Mudukulathur Taluk,
Ramanathapuram District.

...Respondents

PRAYER in W.P(MD)No.8466 of 2019: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay subsistence allowance as per order in PSA Nos. 9/2017, 4/2018 dated 28.03.2018, 17.05.2018 respectively of the Deputy Commissioner for Labour, Madurai and to pay salary from 01.03.2018 and continue to pay monthly salary in future to the petitioner, within a time frame to be fixed by this Court.

PRAYER in W.P(MD)No.8471 of 2019: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Writ of Mandamus directing the respondents 1 and 2 to hand over the charges to the petitioner by taking appropriate action against the 3rd respondent within time frame to be fixed by this Court.



WEB COPY



W.P(MD)Nos.8466 & 8471 of 2019

For Petitioner : Mr.S.Kumar
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
(In both writ petitions)

COMMON ORDER

The petitioner who was working as a Secretary of the Q1283 Kidathirukkai Primary Agricultural Co-Operative Credit Society/ the second respondent herein was placed under suspension on 24.08.2015 and he was also issued with a charge memo on 02.09.2015. An enquiry was conducted and the enquiry officer has filed a report that the charges levelled as against the petitioner are not proved. The grievance of the petitioner is that though the charges as against this petitioner have not been proved, the respondents have not reinstated the petitioner into service. Therefore, the petitioner has filed a writ petition in WP(MD) No.8466 of 2019 seeking a Mandamus, to pay subsistence allowance for his suspension period from 01.03.2018. The petitioner has also filed another writ petition in WP(MD) No.8471 of 2019, seeking a Mandamus to reinstate him into service based on the enquiry officer's report.



W.P(MD)Nos.8466 & 8471 of 2019

WEB COPY

2.Since these writ petitions are arising out of the charges levelled as against the petitioner, they are taken up together and disposed of by this common order.

3.Today(12.12.2024), when these writ petitions are taken for hearing, it is reported that pending these two writ petitions, the petitioner has filed another writ petition in WP(MD) No.4671 of 2017, challenging the subsequent charge memo dated 05.12.2016 and the same was allowed by this Court, by order dated 22.03.2022, with a direction to the Deputy Registrar of Co-operative Societies, Paramakudi, Ramanathapuram District to reinstate the petitioner into service, to pay the subsistence allowance for the suspension period, to regularize the suspension period as duty period and to pay all the monetary benefits. The order of this Court in WP(MD) No.4671 of 2017 was challenged by the Joint Registrar and the Deputy Registrar of the Co-operative Societies, Ramanathapuram in WA(MD) No. 1003 of 2022 and the same was entertained by the Honourable Division Bench of this Court, wherein an order of interim stay has



W.P(MD)Nos.8466 & 8471 of 2019

also been granted in CMP(MD) No.8064 of 2022 in WA(MD) No. 1003 of 2022, dated 07.09.2022.

4.Considering the subsequent development that the issue has been seized of by the Honourable Division Bench of this Court in WA(MD) No.1003 of 2022, this Court is not inclined to pass any further orders in these writ petitions. The relief sought for by the petitioner has already been addressed in WP(MD) No.4671 of 2017, which is now pending before the Honourable Division Bench of this Court.

5.In view of the above, these writ petitions are closed, with liberty to this petitioner to work out his remedy in WA(MD) No.1003 of 2022. No costs.

12.12.2024

NCC:Yes/No
Index:Yes
vrn



W.P(MD)Nos.8466 & 8471 of 2019

To

WEB COPY

- 1.The Deputy Registrar of Co-Operative Societies,
2/96F, Singara Thoppu,
Melachathiram, Paramakudi,
Ramanathapuram District.

- 2.The President,
Q1283 Kidathirukkai Primary Agricultural
Co-Operative Credit Society,
Mudukulathur Taluk,
Ramanathapuram District.



WEB COPY



W.P(MD)Nos.8466 & 8471 of 2019

B.PUGALENDHI, J.

vrn

Common Order made in
W.P(MD)Nos.8466 & 8471 of 2019

12.12.2024