



W.P(MD)No.20514 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20514 of 2024

and

W.M.P(MD)Nos.17448 & 17449 of 2024

K.Ramesh

... Petitioner

Vs.

The Joint Registrar/Secretary,
Virudhunagar District Central Co-operative Bank,
Madurai Road,
Virudhunagar,
Virudhunagar District.

... Respondent

PRAYER: PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the respondent herein in his proceedings in Na.Ka.198/2010/E.1, dated 31.05.2024 and quash the same and consequently direct the respondent herein to reinstate the petitioner into service with all service and monetary benefits.

For Petitioner : Mr.K.Hemakarhikeyan

For Respondent : Mr.D.Shanmugaraja Sethupathy

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ORDER

The instant writ petition has been filed by an Assistant working in the Virudhunagar District Central Cooperative Bank, challenging the order of his dismissal from service relying upon his conviction in the criminal proceedings.

2. According to the learned Counsel appearing for the writ petitioner, only the Registrar of the Cooperative Societies has to offer his opinion whether the services of the particular employee required or not after he has been convicted in the criminal proceedings. In the present case, without obtaining the opinion of the Registrar of the Cooperative Societies, the impugned order has been passed by the Joint Registrar.

3. Per contra the learned Counsel appearing the respondent bank relied upon the G.O(2D)No.109, Co-operation, Food and Consumer Protection Department, dated 31.08.2005, had contended that under the said Government order, the powers of the Registrar had been delegated to the Joint Registrar. In the present case, only the Joint Registrar has passed the order to the effect that in view of his conviction by the Criminal Court, he is dismissed from service.



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4.In view of the above said facts, there are no merits in the present writ petitioner and the writ petition stands dismissed with liberty to the petitioner to approach the authorities again seeking reinstatement, in case if he succeeds in the criminal proceedings.

5.With the above said observations, this writ petition stands disposed of.
No costs. Consequently, connected miscellaneous petitions are also closed.

30.08.2024

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

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R.VIJAYAKUMAR, J.

RJR

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