



W.P. No. 6651 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 6651 of 2018
and
W.M.P. No. 8246 of 2018

K. Neelamegam

... Petitioner

Vs.

1.The Joint Registrar of Co-Operative Societies,
Dharmapuri, Dharmapuri District.

2.The President,
5558 Vadugapatti Primary
Agricultural Co-Operative Bank Ltd.,
Vadugapatti Village, H.Echampadi Post,
Harur Taluk, Dharmapuri District.

3.A. Theerthagiri

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records in connection with the dismissal order dated 28.11.2017 issued by the second respondent and quash the same and consequently direct the respondents to reinstate the petitioner with all back wages, benefits including yearly increments.

For Petitioner : Mr. K. Thiruvengadam

For Respondents : Mr. P. Ganesan, for R1

Government Advocate

No Appearance for R2 & R3



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ORDER

Heard and perused the records.

2. This Writ Petition has been filed against the order dated 28.11.2017 issued by the second respondent wherein, the petitioner was dismissed from service. Admittedly, appeal lies against this order to the first respondent, under Section 153 of Tamil Nadu Co-operative Societies Act, 1983.

3. Without executing the statutory remedy of appeal provided under the said Act, filing this writ petition directly before this Court, is not acceptable. At this stage, the learned counsel for the petitioner sought leave of the Court to file appeal before the first respondent with a direction to the first respondent to dispose of the same at the earliest.

4. Learned counsel for the petitioner submits that inadvertently, this writ petition is filed by the petitioner without availing remedy of appeal provided under the Tamil Nadu Cooperative Societies Act.

5. Considering the submissions of the learned counsel for the petitioner, in our considered view, it is appropriate and reasonable to consider his request to grant



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liberty to file appeal, to meet the interest of justice.

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6. Accordingly, this Writ Petition is disposed of, permitting the petitioner to file an appeal before the first respondent against the order dated 28.11.2017 passed by the second respondent, within a period of two weeks from today.

7. On receipt of the appeal, the first respondent shall consider the appeal and dispose of the same, by following due process of law, within a period of three months thereafter.

8. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

27.01.2025

Index :Yes/No

Neutral Citation :Yes/No

AT

Note: Issue order copy on 31.01.2025

To
The Joint Registrar of Co-Operative Societies,
Dharmapuri,
Dharmapuri District.



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BATTU DEVANAND, J.

AT

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