



W.P.No.33949 of 2012

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.33949 of 2012

M.Yoganadam

...

Petitioner

vs

1 The Secretary to Government,
Co-operative, Food & Consumer Protection Dept.,
Fort St. George,
Chennai-9.

2 The Special Officer,
Vellore District Central Coop Bank Ltd.,
Vellore - 1.

3 The Joint Registrar of Co-op. Societies,
Vellore Region,
Vellore District.

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned G.O. (Nilai) No.80, Co-op., Food and Consumer Protection Department, dated 20.09.2011, passed by the 1st respondent herein and quash the same and consequently direct the 2nd respondent to pay the deducted increment amount with cumulative effect for



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For Petitioner : Mr.T.Sundaravadanam

For Respondents 1 & 3 : Mr.M.Muthusamy

For Respondent 2 : Mr.R.Gopinathan

ORDER

This Writ Petition has been filed aggrieved by the orders passed by the first respondent in G.O. (Nilai) No.80, Co-op., Food and Consumer Protection Department, dated 20.09.2011, confirming the punishment of deduction of increment with cumulative effect for three years imposed on the petitioner by the second respondent. The original order of punishment passed by the second respondent was dated 23.10.2008. The petitioner retired from service on attaining the age of superannuation on 30.11.2009. Thereafter, the petitioner filed a revision petition before the first respondent and the said revision petition was rejected by the first respondent, by passing the impugned order, dated 20.09.2011.

2. As the post held by the petitioner is a non-pensionable post and also considering the fact that the petitioner already retired from service, the effect of punishment on the petitioner is minimal and, therefore, learned counsel for the petitioner wanted to obtain instructions from the petitioner as to whether he is still interested to prosecute the matter or not. However,



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learned counsel for the petitioner submitted that, in spite of his best efforts, he is not able to get instructions from the petitioner and, therefore, proceeded to pursue the matter on merits.

3. This Court has perused the charges that were levelled against the petitioner. During the course of enquiry, the charges, that were levelled against the petitioner, were held to have been not proved. However, the second respondent - disciplinary authority differed with the views of the enquiry officer and communicated the reasons for differing with the views of the enquiry officer. After affording an opportunity to the petitioner, the second respondent held the charges as proved and proceeded to impose the punishment of deduction of increment for three years with cumulative effect. The said punishment was also confirmed by the first respondent through the impugned order, dated 20.09.2011.

4. The scope of interference by this Court in the matter of disciplinary proceedings is very limited. This Court can only look into the aspect as to whether the decision making process is in accordance with law or not. In case the same is found to be correct, this Court will not interfere with the decision nor reappreciate the evidence as an appellate authority.

5. Perusal of the original order of punishment, dated 23.10.2008, as well as the revisional order passed by the first respondent, dated 20.09.2011, would disclose that there is sufficient basis for the respondents to



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arrive at the conclusion, holding that the petitioner is responsible for the charges levelled against him in the functioning of his duties.

6. Be that as it may, the learned counsel for the second respondent also brought to the notice of this Court that in similar circumstances, a co-ordinate Bench of this Court in W.P.No.21265 of 2012 and Batch, by order, dated 19.12.2024, refused to interfere with the identical orders of punishment imposed on other employees of the respondent Bank.

7. In the light of the above and for the reasons already assigned in the order, dated 19.12.2024, by a co-ordinate Bench of this Court, this Court does not find any reason to interfere with the order impugned herein. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected M.P.No.1 of 2012 is closed.

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

1 The Secretary to Government,

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MUMMINENI SUDHEER KUMAR, J.

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