



W.P.No.30574 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30574 of 2025
and W.M.P.No.34263 of 2025

M.Rangan

... Petitioner

Vs

1.The Joint Registrar of Co-op. Societies,
Krishnagiri Region,
Krishnagiri District.

2.The Management of S.527, Kelamangalam
Agricultural Producers' Co-op. Marketing Society Ltd.,
Rep. By its Administrator, Kelamangalam,
Denkanikottai Taluk, Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka.1415/2025 Sa.Pa. dated 23.04.2025 passed by the 1st respondent herein and quash the same and consequently direct the 1st respondent to decide the revision petition dated 03.04.2025 afresh on merits, after affording due opportunity to the petitioner.



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For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.K.Tamilvendan
Government Advocate for R1

Mr.S.Ramesh
Government Advocate for R2

ORDER

The petitioner seeks to quash the order passed by the first respondent in Na.Ka.No.1415/2015 Sa.Pa. dated 23.04.2025 and consequently to direct the first respondent to decide the revision petition dated 03.04.2025 afresh on merits, after affording opportunity to him.

2. The brief facts that led to the filing of the writ petition are as follows :

- a) The petitioner was appointed as Junior Assistant in the second respondent Society on 05.03.1998, and thereafter promoted as Senior Assistant on 20.06.2012. The petitioner is now working as Cashier holding additional charge, as per the oral instructions of the second respondent dated 29.10.2013.



- b) According to the petitioner, he has been discharging his duties with utmost sincerity and dedication in the second respondent-Society for the last 27 years without any allegations.
- c) While he was working as Senior Assistant holding additional charge as Cashier in the second respondent Society, he was suspended by an order of the second respondent dated 18.08.2015, on the allegation that he had realised 1,720 kg., of tamarind worth Rs.98,040/- including other charges namely, payment of fixed deposit of Rs.5,00,000/- to one A.Munireddy, auctioning the gold jewels in 36 jewel loan accounts at a price lower than the amount fixed in auction, etc., According to the petitioner, this is his second suspension. Prior to this, originally he was suspended on 17.02.2015 on the same set of allegations as stated above and upon accepting the explanation submitted by the petitioner, he was reinstated into service on 05.03.2015.
- d) The Officer who passed the suspension order dated 17.02.2015, had passed the second suspension order dated 18.08.2015 without any valid reasons. According to the petitioner, these charges were inflicted on him for settling personal scores and to safeguard the



members belonging to then ruling party.

- e) Aggrieved by the acts of the second respondent, the petitioner had challenged the suspension order dated 18.08.2015 by filing W.P.No.27818 of 2015 and this Court by an order 04.09.2015, had directed the petitioner to file a revision before the first respondent, who *inter alia* by its order dated 20.06.2016, had confirmed the suspension order of the petitioner dated 18.8.2015, and had also directed the second respondent to conclude the disciplinary proceedings pending against him, within a period of two months.
- f) Pursuant to the orders of the first respondent dated 20.06.2016, domestic enquiry was conducted against the petitioner. The enquiry officer had submitted his report dated 25.10.2018 holding that the charges 1 to 6 levelled against the petitioner were proved.
- g) Challenging the report of the enquiry officer, the petitioner had filed W.P.No.30315 of 2018 and this Court by an order dated 20.03.2019 had directed the petitioner to approach the first respondent by filing a revision petition.
- h) Thereafter the petitioner had submitted his representation to the second respondent seeking to cancel the suspension order dated



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18.08.2015 and to reinstate him in service and to regularise his service with attendant benefits.

- i) The petitioner would submit that the entire amounts due to the Society have been paid, and there is no loss to the Society.
- j) Thereafter, the Sub Registrar / Managing Director of the second respondent-Society by his proceedings dated 31.05.2021 had closed the disciplinary proceedings initiated against the petitioner and had reinstated him into service as Senior Assistant, on certain conditions. It also imposed a punishment of stoppage of increment for the next two years without cumulative effect.
- k) Challenging the proceedings of the second respondent dated 31.05.2021, the petitioner filed a revision petition before the first respondent on 03.04.2025. The first respondent by the impugned order dated 23.04.2025 had rejected the revision petition on the ground that the revision petition was filed belatedly.

Challenging the order of the first respondent dated 23.04.2025, the petitioner is before this Court.



3. The learned counsel appearing for the first respondent would submit that the revision petition ought to have been filed within a period of 90 days, and since the same has not been filed within the prescribed period, the first respondent had rejected the petition. He would further contend that sufficient reasons for the delay have not been stated by the petitioner in the revision petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocates appearing for the first and second respondents.

5. A perusal of the documents filed before the Court would indicate that the petitioner has not been given proper opportunity during the domestic enquiry, and enquiry report dated 25.10.2018 which has been prepared by the Enquiry Officer hurriedly had come to be tabled. That apart the proceedings of the second respondent dated 31.05.2021 would amply demonstrate the above facts. The petitioner had challenged the said order dated 31.05.2021 by filing a revision under Section 153(1) of the Tamil Nadu Cooperative Societies Act, 1983 before the first respondent. The said



revision has been filed only in the year 2025. The revision petition has been dismissed only on the ground of delay. The affidavit filed in support of the revision petition does not give any reason for the delay in approaching the authorities/respondents.

6. Although the the proviso to Section 153 of the Act would state that a revision has to be filed within three months, however considering the instant case where the orders in the domestic enquiry has been passed flouting the principles of natural justice and that sufficient opportunity has not been provided to the petitioner to putforth his case, the matter is remitted back to the first respondent for considering the case afresh. The petitioner is also directed to file a fresh application before the authorities concerned giving the reasons for the delay in approaching them, within a period of three weeks from the date of receipt of a copy of this order. The first respondent upon receipt of the same shall consider and pass orders on merits, after affording an opportunity to the petitioner to putforth his case, within a period of two months thereafter.



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7. With the above directions, the writ petition is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Neutral Citation : Yes / No

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P.T. ASHA, J.

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