



WEB COPY

CRP No. 4593 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

CRP No. 4593 of 2025
and
CMP Nos.23279 and 23281 of 2025

M.Murugan,
S/o. K.Mookaiya,
No.25, Balaji Nagar,
Kattur, Trichy - 19.

Petitioner(s)

Vs

1. The Deputy Registrar (Dairying),
Old Panchayat Corporation Building
Complex, Salem -1.

2.The General Manager,
Salem District Co-Operative Milk,
Producers Union, Salem.

Respondent(s)

Civil Revision Petition is filed under Article 227 of the Constitution of India, to issue direction to the Principal District Judge, Salem to dispose of the Interlocutory Application in I.A.No.1 of 2023 in C.M.A.No.29 of 2023 within the time frame fixed by this Hon'ble Court by allowing this Civil Revision Petition.



WEB COPY

CRP No. 4593 of 2



For Petitioner(s): Mr.S.Doraiswamy

For Respondent(s): Mr.C.Sathish,
Government Advocate, for R1
Mr.V.Raghupathi,
for R2

ORDER

The petitioner is working as Assistant General Manager under the 2nd respondent. The petitioner was earlier working as Special Deputy General Manager (In charge) Milk Dairying in the 2nd respondent Milk Producers Co-operative Union. While so, the Deputy Registrar (Dairying) Salem, vide proceedings, initiated enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983, to enquire the serious defects raised in the Audit objections for the period 2018-2019, in the 2nd respondent Co-operative Union. Thereafter based on the enquiry report of the Senior Inspector, the Deputy Registrar of Dairy, Salem, issued surcharge notice under Section 87(1) of the Tamil Nadu Co-operative Societies Act, 1983. On completion of the enquiry, the Deputy Registrar of Dairy, Salem, passed the Surcharge Award on 10.05.2023. As against the Surcharge Award, the petitioner preferred appeal in C.M.A. No.29 of 2023, along with an Interlocutory Application for stay of the Surcharge Order in

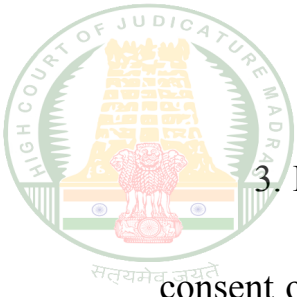


I.A.No.1 of 2023, under Section 152(6) of the Tamil Nadu Co-operative Societies Act. The petitioner states that I.A for stay was kept pending without

WEB COPY

any progress eventhough 2 years lapsed since its filing. Whiles, the 2nd respondent on 21.08.2025, ordered recovery of sum of Rs.9,61,447.85ps, being the interest component, from the salary of the petitioner in 24 monthly instalments of Rs.40,060.29ps per month. Since the recovery order was passed pending the petitioner's Application for stay in I.A. No.1 of 2023 in C.M.A. No.29 of 2023, the petitioner left with no other remedy filed the present Civil Revision Petition, to direct the Principal District Judge, Salem to dispose the pending Interlocutory Application in I.A.No.1 of 2023 expeditiously.

2. The learned counsel for the petitioner submitted that one of the co-employees, against whom similar order was passed for recovery of interest, filed Civil Revision Petition No. 4159 of 2025, and this Court disposed of the same, with directions issued therein. The learned counsel therefore submitted that considering the identity of facts and issues, similar directions may be issued in the present Civil Revision Petition.

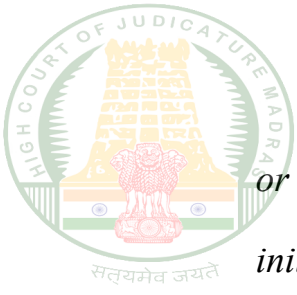


3. Heard both sides and perused the materials placed on record. With the consent of both the learned counsels the Civil Revision Petition is taken up for final disposal.

4. It is seen that on 21.08.2025, the 2nd respondent ordered recovery of interest component of Rs.9,61,447.85ps in 24 instalments at Rs.40,060.29ps per month from the salary of the petitioner along with the co-employees namely, P.Poopathiraj, T.Thangaraj and P.Santhanam. One of the co-employees namely P.Santhanam, preferred a Civil Revision Petition in CRP No.4159 of 2025, raising identical issues and this Court on 29.08.2025, passed the following order:

“3. Considering the pendency of the appeal for a period of more than two years and also request made for an interim stay by the revision petitioner, I am inclined to dispose of the CRP in the manner following:-

(i)CMA(CS)., which is pending before the Principal District Judge, Salem (Special Tribunal for Co-operative Cases) filed under Section 152 of the Tamil Nadu Cooperative Societies Act, 1983 shall be disposed of on merits and in accordance with law, on



or before 31.03.2026. In the meantime, no coercive steps shall be initiated against the revision petitioner.

WEB COPY

4. It is brought to my notice of the learned counsel for the petitioner, the respondents are likely to deduct a sum of Rs.40,000/- from the salary payable to the petitioner from today.

5. In view of the above fact, the learned Government Advocate appearing for the respondents shall immediately inform the concerned authorities not to deduct any amount in view of the order passed by this Court.

5. Considering the identity of the facts and issues, with the above case filed by a co-employer, the present Civil Revision Petition is disposed of, in terms of the order passed by this Court in CRP No.4159 of 2025, dated 29.08.2025. No costs. Consequently, the connected miscellaneous petitions are closed.

The learned counsel for the respondent undertakes to inform the respondents about the order passed by this Court, so as to ensure that the deduction is not made from the salary of the petitioner.

dsn

26-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
WEB COPY

1.The Deputy Registrar (Dairying),
Old Panchayat Corporation Building
Complex, Salem -1.

2.The General Manager,
Salem Dist.Co-oprative Milk,
Producers Union, Salem.



WEB COPY

CRP No. 4593 of 2



N.MALA J.

dsn

CRP No. 4593 of 2025

26-09-2025