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W.P.No.42444 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.42444 of 2025

and

WMP No.47478 of 2025

M.Kathiresan

: Petitioner

Vs.

1.The Joint Registrar of Co-operative Society,
Virudhachalam Region,
Virudhachalam,
Cuddalore Region.

2.The Secretary/The Administrator,
I.I.547, Sirumangalam Primary Agricultural
Co-operative Credit Society,
Sirumangalam Post,
Thitakudi Taluk,
Cuddalore District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorari, calling for the records of the second respondent in the proceedings bearing No.Na.Ka.2/2020.tha dated 29.04.2023 and of the order passed by the first respondent in his proceedings bearing No.Na.Ka.3612/2023.Thu.Va.Tha.1 dated 24.07.2024 and to quash the same.



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For Petitioner : Mr.G.Ilamurugu

For Respondents : Dr.S.Suriya
Additional Government Pleader
for R1

Mr.S.Ravichandran
Additional Government Pleader (HR&CE)
for R2

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 29.04.2023 thereby removed the petitioner from service and order passed by the first respondent dated 24.07.2024 thereby confirmed the order passed by the first respondent.

2. The petitioner was employed as salesman in the Co-operative Department. While being so, the petitioner was served with charge memo dated 23.03.2021 consisting six charges based on the enquiry report under Section 81 of the Tamil Nadu Co-operative Societies Act. Thereafter, enquiry officer conducted enquiry and submitted a report. Based on the enquiry report, the petitioner was served with show cause notice and removed the petitioner from service. Aggrieved by the same, the petitioner preferred a revision before the second respondent and the same was also dismissed and confirmed the order passed by the first respondent.



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3. Learned counsel for the petitioner would submit that the petitioner did not commit any illegality and he had work as Salesman for a period of nearly 30 years. Therefore, the punishment of removal from service is not proportional to the charges.

4. On perusal of the charges leveled as against the petitioner, reveals that the petitioner has misappropriated to the tune of Rs.4,03,269.40/-. While pending charges, the petitioner was suspended from service. After giving an opportunity of hearing, by following principals of natural justice and passed final order thereby removed the petitioner from service.

5. The petitioner after selling the goods not accounted to the society. Therefore, the petitioner committed very serious offense and the revision filed by the petitioner was also dismissed and confirmed the order by the first respondent. Therefore, this Court finds no infirmity or illegal in the order passed by the respondents 1 and 2. That apart once the appellate authority confirmed the order of punishment, there need not be any judicial scrutiny unless the petitioner satisfy that the order was passed without jurisdiction and with mala fide intention and without following any law. The petitioner failed to prove any of the grounds to



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interfere with the order of punishment.

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6. In view of the above, the writ petition is devoid of merits and therefore the writ petition stands dismissed. No costs. Consequently, WMP No.47478 of 2025 is closed.

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Speaking (or) Non Speaking Order

Neutral Citation: Yes/No

mrn

To

1.The Joint Registrar of Co-operative Society,
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Virudhachalam,
Cuddalore Region.

2.The Secretary/The Administrator,
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Co-operative Credit Society,
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G.K. ILANTHIRAIYAN, J.

(mrn)

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