



W.P.No.41494 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.41494 of 2025

and

WMP Nos.46466 and 46469 of 2025

R.Uvaraj

: Petitioner

Vs.

1.The Registrar of Cooperative Societies,
No.170, Periyar E.V.R. High Road,
Kilpauk, Chennai-600 010.

2.The Joint Registrar of Cooperative Societies,
No.5A, Vandavasi Road,
Integrated Cooperative Complex,
Kanchipuram-631501.

3.The Deputy Registrar of Cooperative Societies,
No.5A, Vandavasi Road,
Integrated Cooperative Complex,
Kanchipuram-631501.

4.The Administrator/Cooperative Sub-Registrar,
GK-192, Kaliyapettai Primary Agricultural Cooperative
Credit Society, Orakkattupettai Post,
Kaliyapettai Village, Uttiramerur Taluk,
Kanchipuram District-603106

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records made in the impugned order dated 01.12.2018 passed by the fourth respondent along with impugned order made in Na.Ka.2598/2024/B1, dated 10.07.2025 passed by the third respondent, quash both impugned orders consequently direct the second respondent to disburse the retirement terminal benefits of the petitioner along with compound interest @ 12% p.a.

For Petitioner : Mr.R.Srinivasan

For Respondents : Dr.S.Suriya
Additional Government Pleader
for R1 to R3

Ms.Amirtha Poorkodi
Government Advocate (Taxes),
for R4

ORDER

This writ petition is filed challenging the order dated 01.12.2018 on the file of the fourth respondent and also the order dated 10.07.2025 passed by the third respondent.

2. The petitioner had joined the fourth respondent Primary Agricultural Cooperative Credit Society as a Clerk and subsequently, he was promoted to the post of Assistant Secretary and later, promoted to the post of Secretary. While he was working as a Secretary in the fourth respondent, he was served with charges



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for misappropriation of society funds. In pursuant to the same, a criminal complaint was also lodged, in which the petitioner was arrayed as A1 in CC No.127/2018. The criminal trial ended in conviction and he was sentenced to undergo 15 days imprisonment and also imposed a fine of Rs.3000/-. On the basis of the enquiry report, recommended to the fourth respondent to frame charges as against the petitioner for disciplinary proceedings. Thereafter, he was suspended from service on 10.01.2015. Subsequently, the order of suspension was revoked and petitioner was reinstated in service on 09.10.2019. After completion of the enquiry, a final order has been passed on 01.12.2018 imposing the punishment of demotion from the post of Secretary to Senior Clerk, the period of suspension to be treated as a period of punishment and stoppage of increments for three years with cumulative effect. Simultaneously, a surcharge proceedings was initiated as against the petitioner and the property of the petitioner was also attached. Subsequently, the petitioner had paid the surcharge amount and challenging the order of punishment and also sought for raising the order of attachment with regard to immovable property.

3. Further, the petitioner did not prefer any appeal as against the order of punishment as contemplated under Section 153 of the Tamil Nadu Co-operative Societies Act within a period of 90 days. Now the petitioner also attained the age



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of superannuation and even after conviction, dated 22.08.2019 in CC No.127 of 2018 and sentenced to undergo 15 days imprisonment and to pay fine of Rs.3,000/-, the petitioner was reinstated in service on 09.10.2019.

4. It is also curious to note that the petitioner was confined to prison on the date of judgment and he suffered the imprisonment for 15 days and also paid fine. It is unknown in the eye of law after suffered punishment by criminal court, no law permits the delinquent to reinstate into service. During disciplinary proceedings, the petitioner was imposed punishment by order dated 01.12.2018. But the petitioner was reinstated into service and now got retired from service due to his attainment of superannuation. After having been retired from service, now challenging the order of punishment dated 01.12.2018 and also order passed by the third respondent dated 10.07.2025 thereby informed that the request of the petitioner will be considered on verification of the payment under the surcharge proceedings to raise the attachment with regard to immovable property.



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5. In view of the above, this Court finds no merit in the writ petition and therefore, dismissed. The second respondent is directed to take appropriate action as against the officer, who ordered to reinstate the petitioner into service even after suffered punishment by the criminal court in the manner to know. No costs. Consequently, connected miscellaneous petitions are closed.

05.11.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To

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G.K. ILANTHIRAIYAN, J.

(mrn)

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