



W.A(MD) Nos.1465 to 1470 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 14.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) Nos.1465 to 1470 of 2025
and
C.M.P.(MD)Nos.8606 to 8611 of 2025**

In W.A.(MD)No.1465 of 2025

The General Manager,
Madurai District Cooperative Milk
Producers Union Limited,
Madurai,
Madurai District.

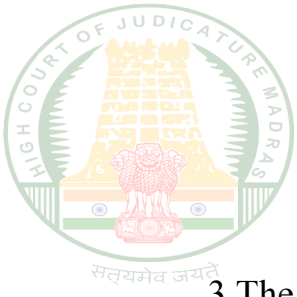
... Appellant / 5th Respondent

Vs.

1.S.Arun,
Technician Electrical,
Madurai District Co-operative Society Limited,
Sivagangai Road,
Madurai,
Madurai District.

... 1st Respondent / Petitioner

2.The State of Tamil Nadu,
Represented by its Principal Secretary
to Government and Department of Animal
Husbandry, Dairying, Fisheries,
Secretariat, Chennai.



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3.The Commissioner,
The Department of Milk Production
and Dairy Development,
Chennai-51.

4.The Managing Director (Aavin)
Tamil Nadu Co-operative Milk
Producers Federation,
Chennai-51.

5.The Deputy Registrar (Dairy)
Office of Deputy Registrar of Office
District Co-operative Milk Producers
Union Limited, Madurai,
Madurai District.

... Respondents 2 to 5 Respondents 1 to 4

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying
this Court to set aside the order dated 15.11.2024 in W.P.(MD)No.10083
of 2023.

For Appellant : Mr.J.Devasenana

For Respondents : Mr.S.Ramsundar Vijayaraja
for R1

COMMON JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.



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2. Aavin is the appellant in these writ appeals. The appellant questions the common order dated 15.11.2024 passed in favour of the writ petitioners. The writ petitioners had participated in the recruitment process conducted by the Madurai District Co-operative Milk Producers Union Limited, Madurai for various posts. The writ petitioners were appointed on 06.02.2020 in various posts. Their appointments were cancelled vide order dated 28.12.2022 and subsequently, they were also relived on 04.01.2023. Challenging the same, the writ petitioners moved the writ Court and the learned single Judge noted that there has been a gross violation of the principles of natural justice. In fact, the learned single Judge was careful enough to uphold the power of the appellant management to proceed afresh in accordance with law. Paragraph No.14 of the order of the learned single Judge reads as follows:-

“14.The writ petitions are disposed of on the following terms:-

- a)The orders impugned in the writ petitions are set aside and the writ petitions are allowed.
- b)The writ petitioners shall be reinstated into service with continuity of service and all other benefits except backwages.
- (c)It would be open to the respondents to issue show cause notices to the employees specifically pointing out the allegation



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warranting cancellation of appointment and may proceed in accordance with law after giving due opportunity to the petitioners to offer their explanation.

(d) In case, if any serious irregularities are found out appropriate criminal proceedings or departmental proceedings may also be initiated as against the persons concerned.

(e) The respondents are at liberty to verify the credentials/ educational qualifications and other services including the character and antecedents.

(f) This order would not preclude the Vigilance and Anticorruption Unit, Madurai from proceeding with its enquiry in a manner known to law.”

3. This order was passed way back on 15.11.2024. Nothing stopped the appellant from conducting enquiry as directed by the learned single Judge in the meanwhile. We fail to understand as to why the appellant did not do so till date. The principles of natural justice are sacrosanct. They cannot be casually waived. All that the learned single Judge said was to direct the management to issue notice to the writ petitioners indicating the grounds on which the appointment orders are proposed to be invalidated. However, the enquiry to be held will be summary in nature.

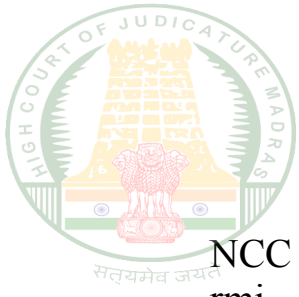


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4. Considering the facts of this case, we are of the view that summary enquiry would suffice. A formal personal hearing has to be granted. The writ petitioners will have to be put on notice. The writ petitioner's explanation would have been obtained. Thereafter, a speaking order has to be passed either accepting the stand of the writ petitioners or rejecting the same. The learned counsel for the management states that the contempt proceedings have been initiated. The appellant undertakes to pay the salary for the period from 15.11.2024 till date. Salary should continue to be paid till final order is passed after enquiry. The rights of the writ petitioners would abide by the outcome of the enquiry. Since such an undertaking has been given, the contempt proceedings initiated against the appellant shall stand stayed in the meanwhile. In this view of the matter, these writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (K.R.S., J.)
14.07.2025

Index : Yes / No
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NCC : Yes / No
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