



W.P.(MD)No.1782 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.01.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1782 of 2025

and

W.M.P(MD)No.1273 of 2025

S.Kaliraj

... Petitioner

Vs.

1. The Deputy Registrar (Dairy),
Office of the Deputy Registrar,
Aavin Illam, Kumarasamy Raja Nagar,
Collectorate Building,
Virudhunagar Town and District.

2. The Senior Inspector (Dairy), I/C,
R-56 Rajapalayam Milk Producers Co-operative Society Ltd.,
D.No:96, Kamaraj Nagar,
Rajapalayam Town,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order made in Ka.No:06/Employment/2024-3 dated 13.09.2024 on the file of the 2nd respondent and to quash the same as arbitrary and illegal and consequently direct the respondents to re-instate the petitioner into service.

For Petitioner
For R1

: Mr.M.Thirunavukkarasu
: Mr.A.Baskaran
Additional Government Pleader



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ORDER

Mr.A.Baskaran, learned Additional Government Pleader takes notice on behalf of the 1st respondent.

2. The instant writ petition has been filed by the Supervisor of the Rajapalayam Milk Producers Co-operative Society Ltd., challenging the order of suspension dated 13.09.2024.

3. A perusal of the affidavit reveals that the petitioner and seven others were implicated in a criminal case in Cr.No.1 of 2024 on the file of EOW Police, Virudhunagar under various provisions of IPC. Pursuant to the said criminal case, the petitioner was placed under suspension vide impugned order dated 13.09.2024.

4. The learned counsel for the petitioner submits that in the 87 enquiry proceedings, the entire liability was fixed upon the upon first accused namely the President of the said society and only 10% was fixed on the other employees.



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5. The learned counsel for the petitioner further submits that one of the co-accused in the said criminal case, who is the storekeeper in the said society was also suspended along with the petitioner, pursuant to the criminal case. However his suspension was revoked by the 2nd respondent herein on 20.11.2024. The petitioner who is the similarly placed person is still placed under suspension. Hence, the petitioner has given a representation on 04.12.2024 seeking revocation of his suspension. However, no orders have been passed.

6. That apart, the learned counsel for the petitioner submits that pursuant to the directions of this Court in CrI.O.P(MD).No.17683 of 2024 dated 18.10.2024, the petitioner has deposited a sum of Rs.3,50,000/- to the credit of Cr.No.1 of 2024.

7. Considering the above said facts, the 2nd respondent herein is directed to consider the representation of the petitioner dated 04.12.2024 and pass appropriate orders in the light of the fact that another co-delinquent has already been reinstated in service, pursuant to order



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dated 20.11.2024, within a period of 8 weeks from the date of receipt of a
copy of this order.

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8. The Writ Petition is disposed of with the above observations and directions. No costs. Consequently, the connected Miscellaneous Petition is closed.

24.01.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

Note: Issue order copy on 27.01.2025

To

1. The Deputy Registrar (Dairy),
Office of the Deputy Registrar,
Aavin Illam, Kumarasamy Raja Nagar,
Collectorate Building,
Virudhunagar Town and District.
2. The Senior Inspector (Dairy), I/C,
R-56 Rajapalayam Milk Producers Co-operative Society Ltd.,
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R.VIJAYAKUMAR, J.

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