

W.P.(MD)No.6337 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.6337 of 2021

and

W.M.P.(MD)No.4939 of 2021

C.Dhandapani

: Petitioner

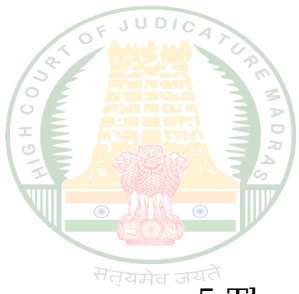
Vs.

1.The Registrar of Co-operative Society,
Karur Region, Thanthonimalai,
Karur.

2.The Joint Registrar of Coperative Society,
Karur Region, Thanthonimalai,
Karur.

3.The Special Officer,
Karur District Consumers Co-op. Wholesale Store,
Dindigul Region,
Karur – 639 001.

4.Co-op Deputy Registrar / Sale Officer,
Office of the Deputy Registrar of Co-Operative Society,
Karur Circle,
Karur.



W.P.(MD)No.6337 of 2021

5.The Managing Director,

YK 159 Karur District Consumer Coopeartive Wholesale Store,

Karur.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fourth respondent dated 02.12.2019 in E.P.No.53 of 2010 and in Revision Petition No.3 of 2011 Sa.Pa. Dated 15.07.2013 passed by the second respondent and in Na.Ka.No.35 of 2008/Ne.Pe. Dated 01.11.2010 passed by the third respondent and quash all the proceedings as illegal and arbitrary and consequently direct the 2nd respondent to reinstate the petitioner's service with department promotions as well as reimburse his arrears salary and other monitory benefits.

For Petitioner : Mr.S.Gokulraj

For Respondents : Mr.A.Baskaran,

Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the following
impugned orders:



W.P.(MD)No.6337 of 2021

WEB COPY

a) the impugned order dated 01.11.2010 passed by the third respondent, imposing punishment of termination of service on the petitioner;

b) the impugned order dated 15.07.2013 passed by the second respondent in the revision petition filed by the petitioner, confirming the order dated 01.11.2010 passed by the third respondent;

c) the impugned order passed by the fourth respondent dated 02.12.2019 in E.P.No.53 of 2010, confirming the sale of the petitioner's property.

2.The petitioner has challenged the impugned orders on the ground of the same being non-speaking orders and on the ground that wrongly by total non-application of mind, the second respondent [revisional authority] has held that all the charges framed against the petitioner have been proved, despite the fact that the third respondent in his order dated 01.11.2020 has held that only certain charges were partly proved against the petitioner.

3.Counter affidavit has been filed by the respondents denying the contentions of the petitioner. They would submit that the



W.P.(MD)No.6337 of 2021

Writ Petition is not maintainable, since there is an alternate statutory revisional remedy available to the petitioner.

4.The following are the undisputed facts:

a) The second respondent in the revision filed by the petitioner had confirmed the order of the third respondent dated 01.11.2010 [disciplinary authority], by confirming the punishment of termination of service issued against the petitioner.

b) The petitioner for the first time through this Writ Petition filed in the year 2021 has challenged the orders dated 01.11.2010 passed by the third respondent and the order dated 15.07.2013 passed by the second respondent, after a lapse of more than seven years.

c) In the order dated 15.07.2013, passed by the second respondent [revisional authority], it has been held that the said revision filed by the petitioner was not filed before the competent authority. However, the petitioner has remained silent for more than 7 years and has chosen to challenge the said order through this Writ Petition only after the petitioner had received the order dated 02.12.2019 passed by the fourth respondent confirming the sale of the petitioner's property which was earlier attached by the respondents.



W.P.(MD)No.6337 of 2021

WEB COPY

d) The attachment order issued against the petitioner's property which was subsequently sold by the order of the fourth respondent dated 02.12.2019 passed in E.P.No.53 of 2010 was also not challenged earlier by the petitioner.

e) The petitioner has also challenged the sale confirmation order dated 02.12.2019 in E.P.No.53 of 2010 only through this Writ Petition ie., after a lapse of more than 2 years, since this Writ Petition came to be filed only in the year 2021.

5.The charges framed against the petitioner who is a Salesman in the Aravakurichi Fair Price shop in the disciplinary proceedings is that he had fabricated the family cards and also forged family card entries and had also embezzled cash. In the disciplinary proceedings, the enquiry officer found that Charge Nos. 1, 5 & 7 are partly proved and Charge No.6 was proved in entirety.The revisional authority in its order dated 15.07.2013 [2nd respondent] has however held that all the charges are proved as against the petitioner and has confirmed the punishment of termination imposed by the third respondent in its order dated 01.11.2010.



W.P.(MD)No.6337 of 2021

WEB COPY

6.This Court is not going into the merits of the petitioner's contentions as raised in this Writ Petition. However, only on the ground of laches, this Court has to dismiss this Writ Petition. The ground of laches is proved on account of the above stated undisputed facts. Having slept over the rights for almost 9 years, from the date when the revisional authority namely the second respondent passed the order dated 15.07.2013, confirming the punishment order imposed on the petitioner, the question of entertaining this Writ Petition at this stage when the property of the petitioner has already been sold in the execution petition in E.P.No.53 of 2010 does not arise. If the petitioner was really innocent, he would have made best efforts to prove his innocence before the Court of law. The petitioner having slept over his rights and it can be inferred that the petitioner is not an innocent person. Therefore, on the ground of laches, this Writ Petition has to be necessarily dismissed.

7.In the result, there is no merit in this Writ Petition. However, if the petitioner is willing to pay the amount due to the respondents, as claimed by them, the petitioner is granted liberty to seek for re-conveyance of the immovable property which has already been sold by paying the amounts due to the respondent society as



W.P.(MD)No.6337 of 2021

directed by the respondent society in accordance with Rule 131 of the Tamil Nadu Cooperative Society Rules, 1988.

8.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09.09.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



W.P.(MD)No.6337 of 2021

WEB COPY

To

- 1.The Registrar of Co-operative Society,
Karur Region, Thanthonimalai,
Karur.
- 2.The Joint Registrar of Coperative Society,
Karur Region, Thanthonimalai,
Karur.
- 3.The Special Officer,
Karur District Consumers Co-op. Wholesale Store,
Dindigul Region,
Karur – 639 001.
- 4.Co-op Deputy Registrar / Sale Officer,
Office of the Deputy Registrar of Co-Operative Society,
Karur Circle,
Karur.
- 5.The Managing Director,
YK 159 Karur District Consumer Coopeartive Wholesale Store,
Karur.



WEB COPY



W.P.(MD)No.6337 of 2021

ABDUL QUDDHOSE., J.

MR

W.P.(MD)No.6337 of 2021

09.09.2025